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SNOWY VALLEYS COUNCIL
RURAL LANDS STUDY

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SNOWY VALLEYS COUNCIL

RURAL LANDS STUDY

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1.0 EXECUTIVE SUMMARY

This Rural Lands Study has been prepared for Snowy Valleys Council to assist the merging of the Tumbarumba *Local Environmental Plan 2010* and the Tumut *Local Environmental Plan 2012* to create a *Snowy Valleys Local Environmental Plan*. This study has focused on land In the Snowy Valleys' Local Government Area (LGA) zoned:

- RU1 – Primary Production;
- RU4 – Primary Production Small Lots;
- E3 – Environmental Management; and
- R5 – Large Lot Residential (for the land surrounding Tumut only).

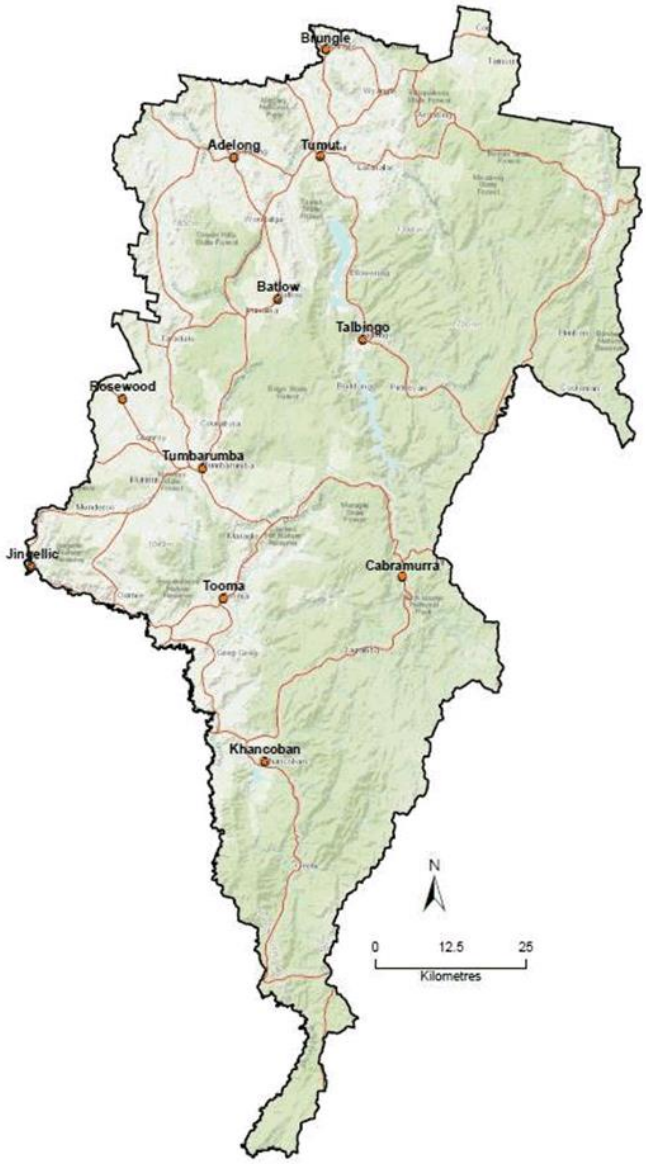
Key findings of this report include:

- The LGA has significant areas of natural assets which should be protected;
- Agriculture is a core industry and core driver of the LGA and therefore warrants protection;
- The value of agricultural commodities produced in the LGA in 2016 was $143M with nearly 70% of this value derived from livestock production and the balance derived from horticulture and cropping. Livestock production includes beef, dairy and sheep. Horticulture includes apples, blueberries and wine grapes;
- The value of agricultural commodities produced in 2016 was 26% of the LGA's Gross Regional Product;
- 37% of the LGA is used for agriculture, with livestock grazing the dominant land use at 83% of the agricultural area. Other key rural land uses include plantation forestry (7%) and horticulture and cropping (4%);
- 28% of the value of agriculture commodities produced is derived from horticulture which is produced from just 1% of the land used for agricultural production in the LGA;
- The distribution of horticulture and viticulture across the LGA does not correlate to land capability mapping;
- Climate change will have a negative impact on agricultural production in the LGA;
- Identifying and protecting important agricultural land, addressing land use conflict and creating certainty for primary producers is a priority;
- The E3 zone comprises land with considerable production constraints and high conservation value and should be protected;
- Less than 1% of the land zoned RU4 is being used for intensive agricultural production;
- There are eight different minimum lot sizes in the RU1 zone across the LGA, but no correlation between land use and/or land capability and minimum lot size. A different zoning may be appropriate for land zoned RU4 together with land zoned RU1 that has small minimum lot sizes. A reduction to one (or two) minimum lot size for the balance of the RU1 zone along with a clause for a smaller minimum lot size for horticulture would be appropriate; and
- There is land suitable for rural living opportunities adjacent to the existing R5 Large Lot Residential Zone east of Tumut at Lacmalac.

2.0 LGA OVERVIEW

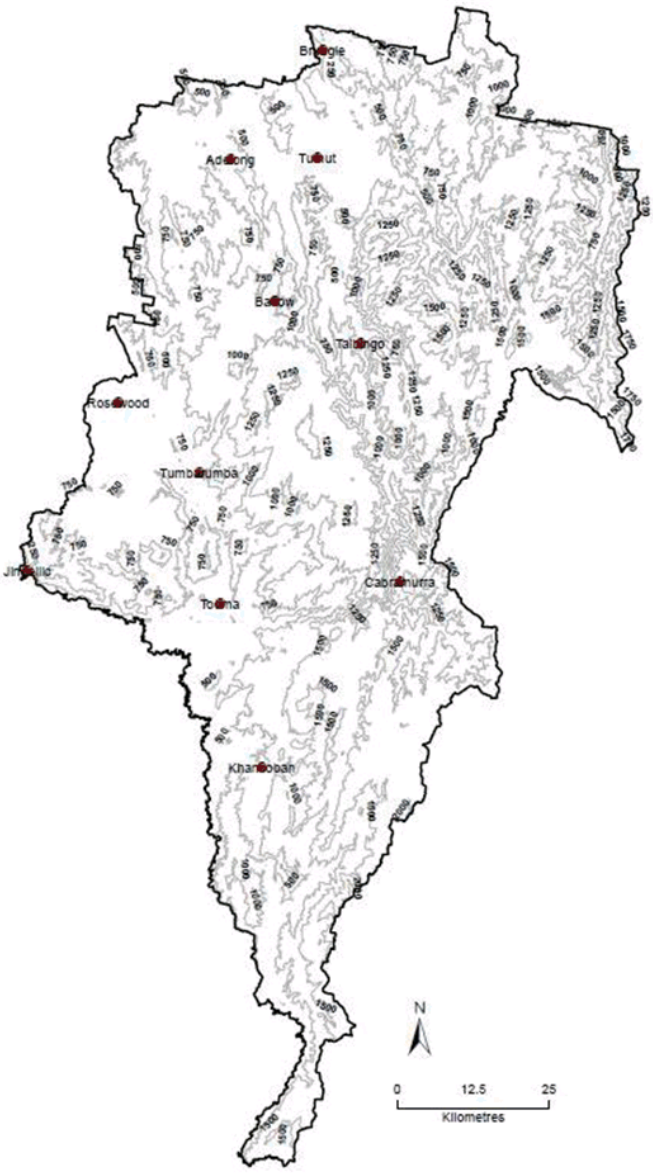
The Snowy Valleys Local Government Area (LGA) is located on the western side of the Snowy Mountains and is bordered by the Australian Capital Territory and Kosciuszko National Park to the east and the Murray River (and Victoria) to the south-west. The LGA is geographically diverse spanning a region from the Australian Alps in the east, to the Highlands through the centre of the LGA, and the south-west slopes in the west. The LGA includes the major towns of Tumut and Tumbarumba, and the towns/villages of Adelong, Batlow, Brungle, Cabramurra, Jingellic, Khancoban, Rosewood, Talbingo and Tooma. A map of the LGA is included as Figure 1.

Figure 1: Snowy Valleys LGA



The LGA is orientated in a north/south direction and is bordered by the Murray River on the west from the southern-most corner to the village of Jingellic. A significant proportion of the eastern side of the LGA is National Park or State Forest with productive agricultural land on the western side of the LGA surrounding Tumut, Tumbarumba and Batlow and stretching from Khancoban in the south to Brungle in the north. A significant proportion of the Snowy Hydro Scheme is located within the LGA, with a $4 billion expansion of the Scheme under way (known as Snowy Hydro 2.0). A contour map for the LGA (at 250m intervals) is provided as Figure 2.

Figure 2: LGA Elevation Contours



The data in Figure 2 shows elevation of up to 2,000 metres on the eastern side of the LGA (around and south of Cabramurra), decreasing to elevations of less than 750 metres around Tumbarumba and Rosewood, less than 500 metres around Tumut, Khancoban, Tooma and Adelong and less than 250 metres at Jingellic and Brungle.

2.1 Zones

The Snowy Valleys LGA has a total area of 896,168 hectares (ha). The key zones in the LGA relevant to this Rural Lands Study, as well as National Parks and Nature Reserves, are provided in Table 1. The area of the LGA not included in Table 1 includes residential areas (towns and villages) and supporting infrastructure.

Table 1: LGA Zones

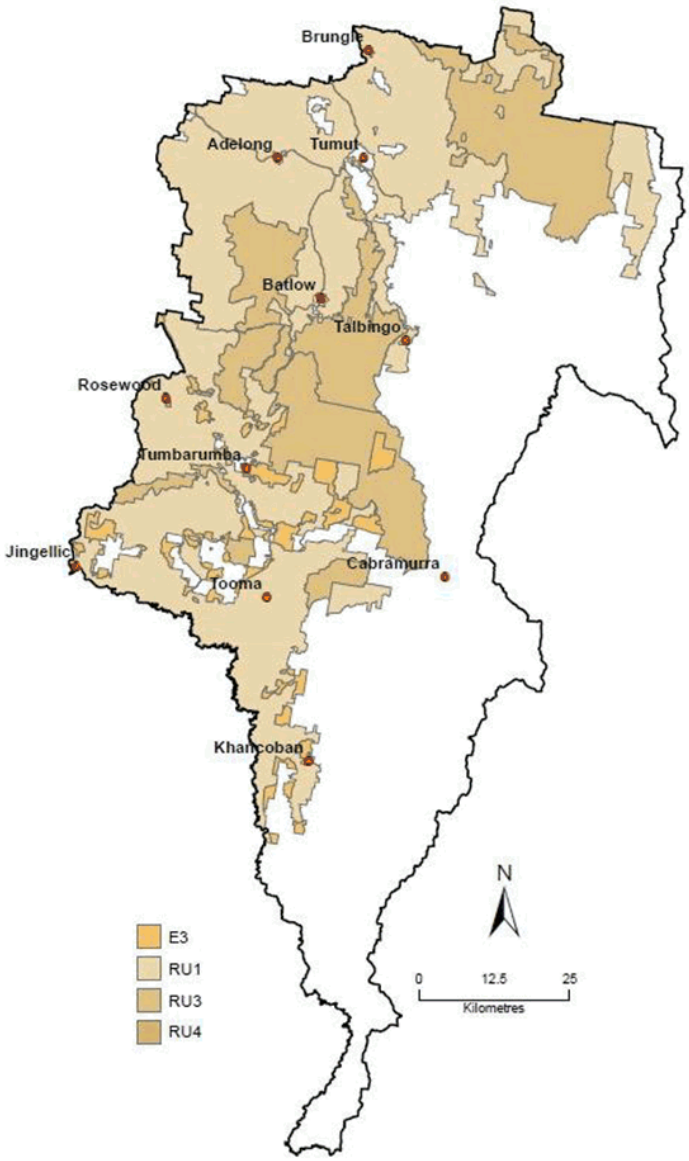
Zone	Area (ha)	Proportion of LGA
RU1 Primary Production	305,125	34.05%
RU3 Forestry	153,317	17.11%
RU4 Primary Production Small Lots	532	0.06%
R5 Large Lot Residential	1,017	0.11%
E1 National Parks and Nature Reserves	409,567	45.7%
E3 Environmental Management	23,358	2.61%
Total	**892,916**	**99.64%**

The data in Table 1 indicates:

- Just under half (46%) of the LGA is zoned E1 National Parks and Nature Reserves;
- Just over one-third (34%) of the LGA is zoned RU1 Primary Production;
- Just over 17% of the LGA is zoned RU3 Forestry; and
- These three zones (above) comprise just under 97% of the LGA.

This Rural Lands Study is primarily focused on **land zoned RU1, RU4 and E3**, which hereafter will be collectively referred to as the '**Study Area**'. Figure 3 shows the location of these zones in the LGA. For context RU3 is also depicted in Figure 3. The majority of the area not marked in Figure 3 is zoned E1. All the land zoned E3 is located in the south western side of the LGA in the Tumbarumba region.

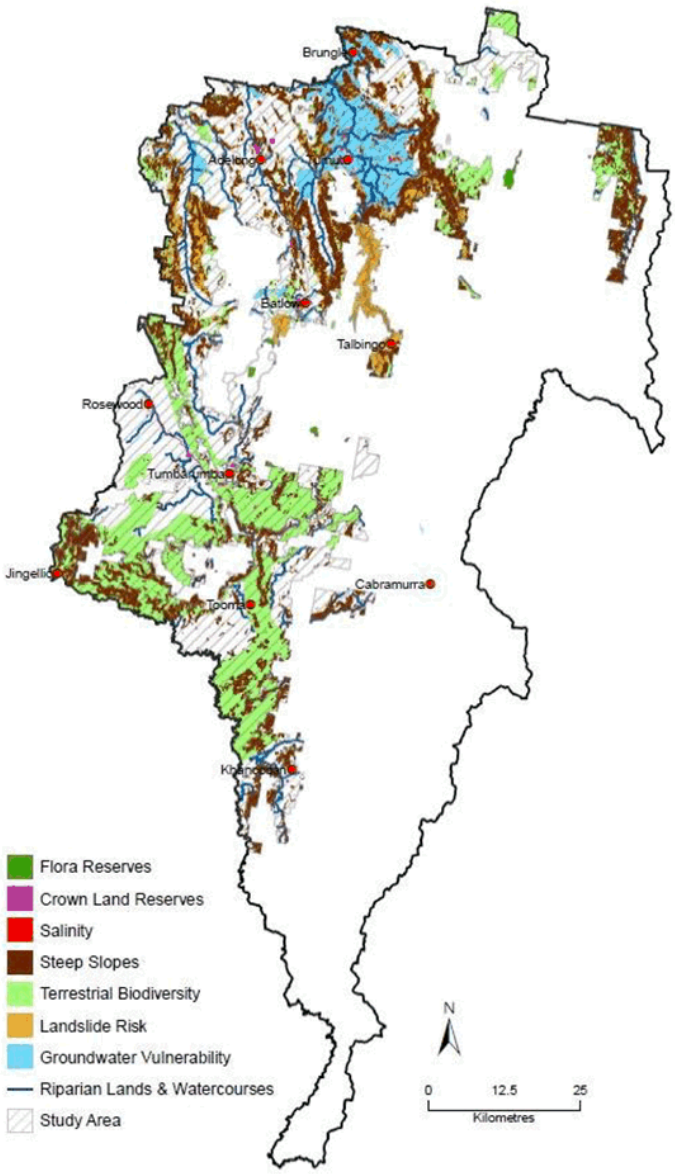
Figure 3: LGA Zones



2.2 Natural Resources

Snowy Valleys' LGA has significant natural resources including large areas of National Park and waterways arising from the Snowy Mountains. Environmentally sensitive land identified in the Study Area, based on a range of constraints, is depicted in Figure 4.

Figure 4: Environmentally Sensitive Land



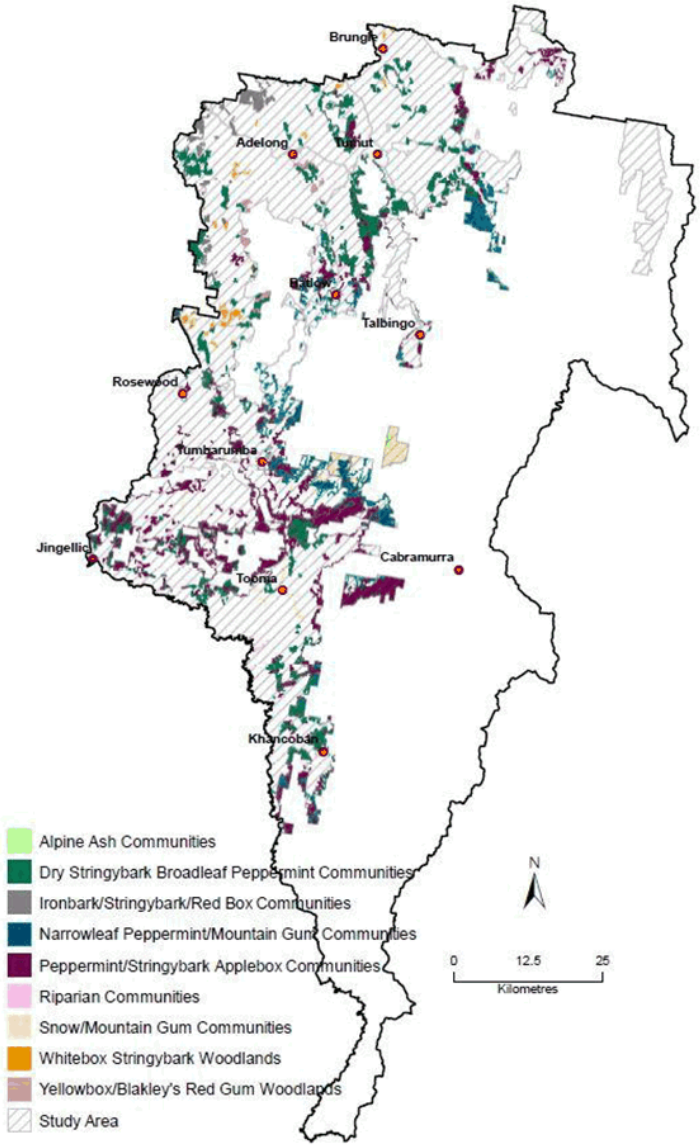
The data depicted in Figure 4 indicates a significant portion of the Study Area can be identified as environmentally sensitive land based on the following criteria:

- Terrestrial biodiversity;
- Riparian lands, waterways and waterbodies;
- Groundwater vulnerability;

- Landslide risk;
- Salinity; and
- Steep slopes.

Vegetation in the Study Area is depicted in Figure 5. The boundary of the Study Area is also included in Figure 5. Any areas unmarked in the Study Area are considered to be cleared of remnant native vegetation.

Figure 5: Study Area Vegetation



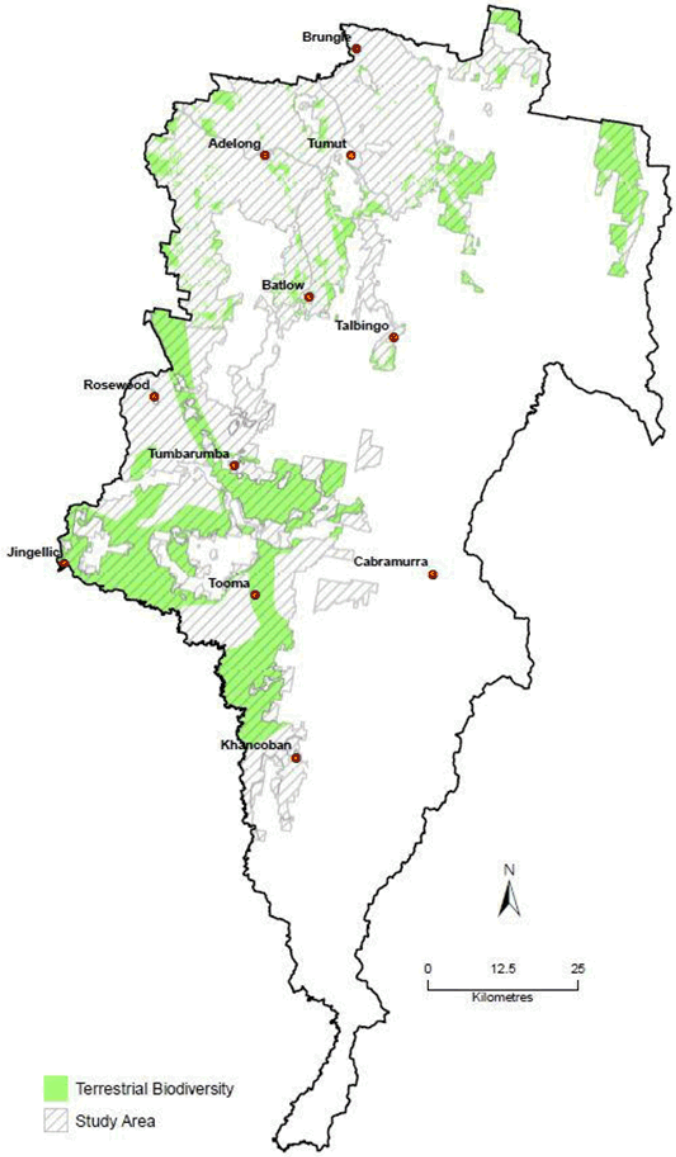
The data in Figure 5 indicates:

- The majority of the Study Area is classified as cleared;
- Peppermint/Stringybark Applebox Communities cover 7% of the Study Area and comprise 36% of the remnant vegetation;
- Dry Stringybark Broadleaf Peppermint Communities cover 7% of the Study Area and comprise 33% of the remnant vegetation;
- Narrowleaf Peppermint/Mountain Gum Communities cover 7% of the Study Area and comprise 17% of the remnant vegetation;
- Snow/Mountain Gum Communities cover 1% of the Study Area and comprise 6% of the remnant vegetation; and
- Ironbark/Stringybark/Red Box Communities comprise 1% of the Study Area and 4% of the remnant vegetation.

The natural environment of the LGA is highly valued and needs to be protected by land use policy. Privately owned rural land provides an important role in protecting biodiversity. Clearing of native vegetation in NSW is legislated by the *Biodiversity Conservation Act 2016* and the *Local Land Services Act 2013*.

Important biodiversity land (terrestrial biodiversity) in the Study Area is identified in Figure 6.

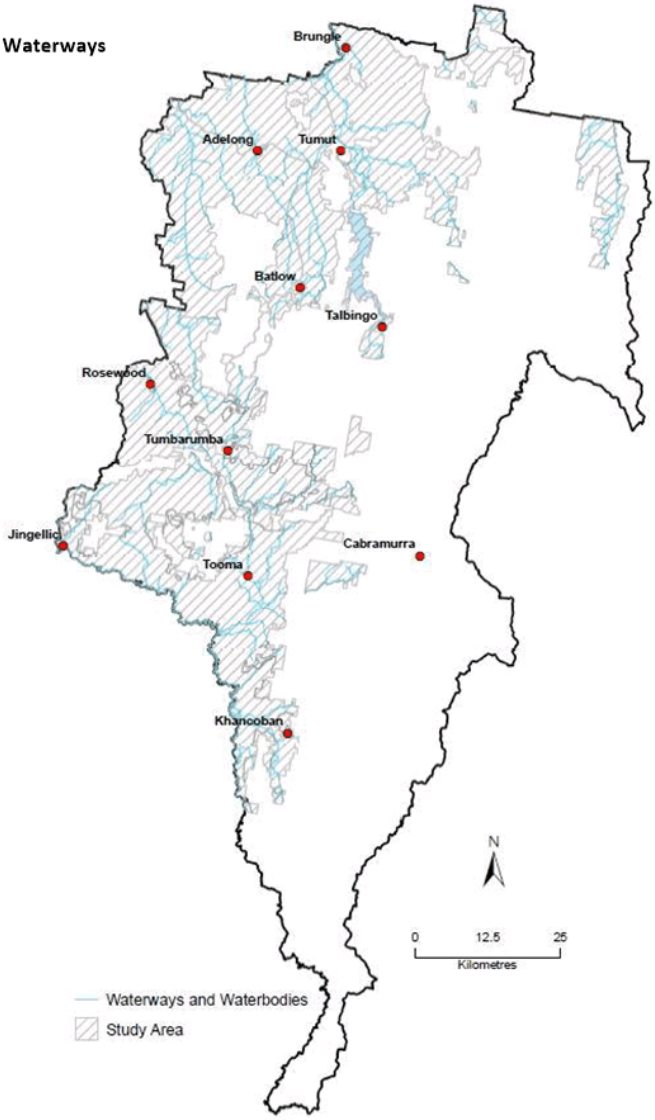
Figure 6: Important Biodiversity Land



Terrestrial biodiversity is depicted in Figure 6 sourced from the T*umbarumba Local Environmental Plan 2010* and *Tumut Local Environmental Plan 2012* (hereafter Local Environmental Plan is referred to as LEP) and shows a higher level of detail in the north (the Tumut region) compared with a coarser level of detail in the south-west (the Tumbarumba region).

Key waterways and waterbodies in the Study Area are depicted in Figure 7.

Figure 7: Key Waterways



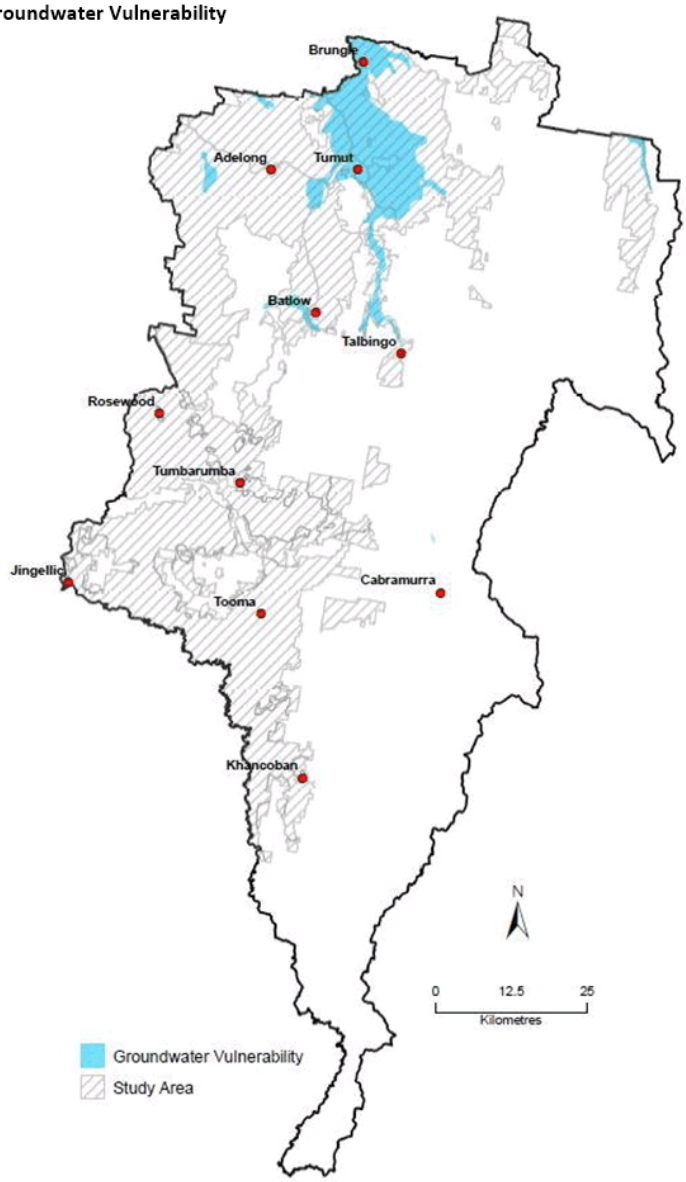
Key waterways depicted in Figure 7 include:

- Lake Blowering (north of Talbingo);
- Murray River running along the south-west LGA border;
- Tumut River running north through Tumut;
- Goobarragandra River running west and adjoining the Tumut River on the eastern side of Tumut;
- Goodradigbee River running north through the Brindabella valley on the north eastern side of the LGA;
- Adelong Creek running north through Adelong;
- Nacki Nacki Creek running north to the west of Adelong;

- Tumbarumba Creek running through Tumbarumba;
- Horse Creek at Jingellic;
- Tooma River running south through Tooma; and
- Swampy Plains River running north past Khancoban.

Groundwater vulnerability for the Study Area is depicted in Figure 8.

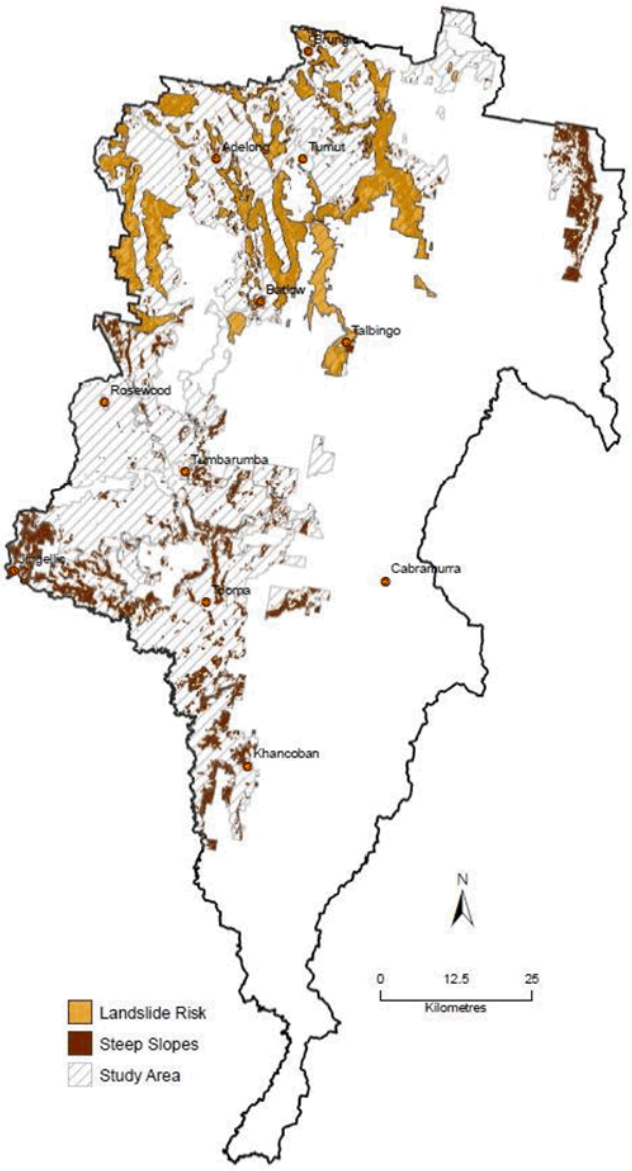
Figure 8: Groundwater Vulnerability



Groundwater vulnerability data is only available in the north of the Study Area (the Tumut region) and comprises the majority of the floodplains and lower lying areas along the Tumut River.

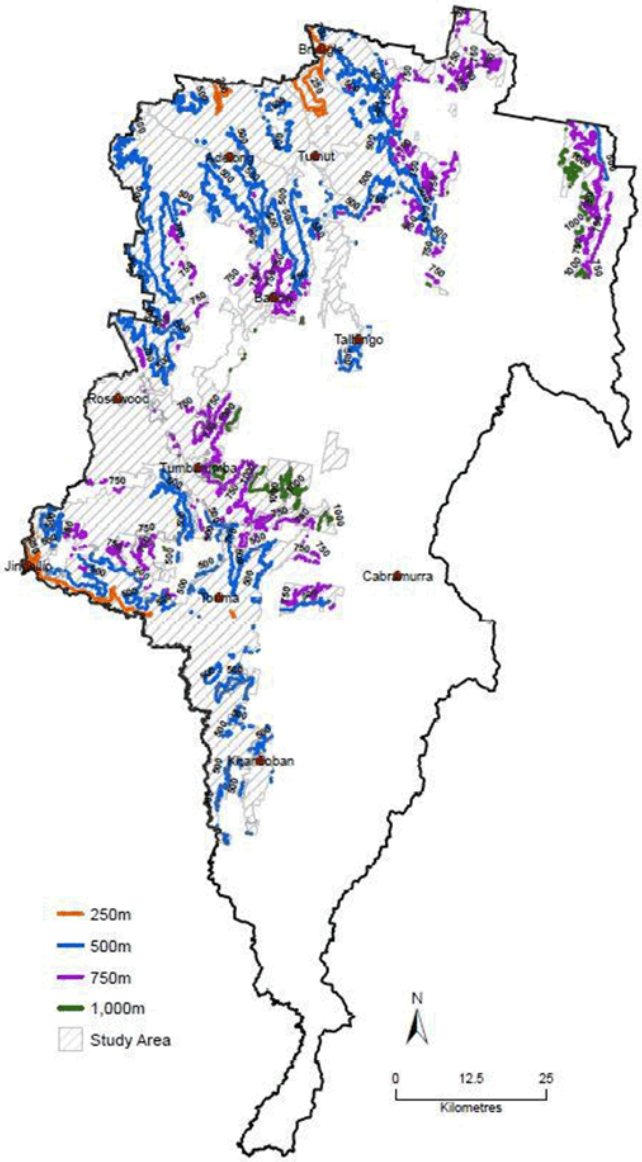
Land with steep slopes and/or landslide risk is provided as Figure 9 for the Study Area. The data in Figure 9 indicates that a considerable portion of the Study Area is affected by steep slopes and/or landslide risk, and that the available data on landslide risk is confined to the Tumut region.

Figure 9: Steep Slopes/Landslide Risk



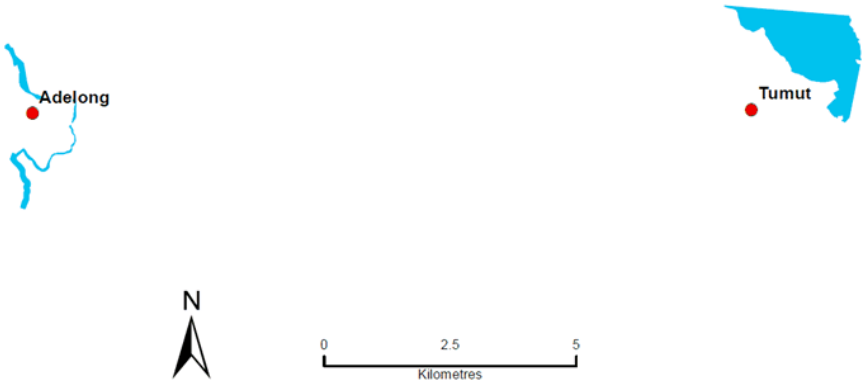
Elevation contours in the Study Area (at 250m intervals) are included as Figure 10. The data in Figure 10 indicates the majority of the Study Area has an elevation ranging from 250m to 1,000m.

Figure 10: Study Area Elevation Contours



The data available on flood prone land in the LGA is limited to an area adjacent to Adelong and Tumut only and is provided in Figure 11.

Figure 11: Flood Prone Land



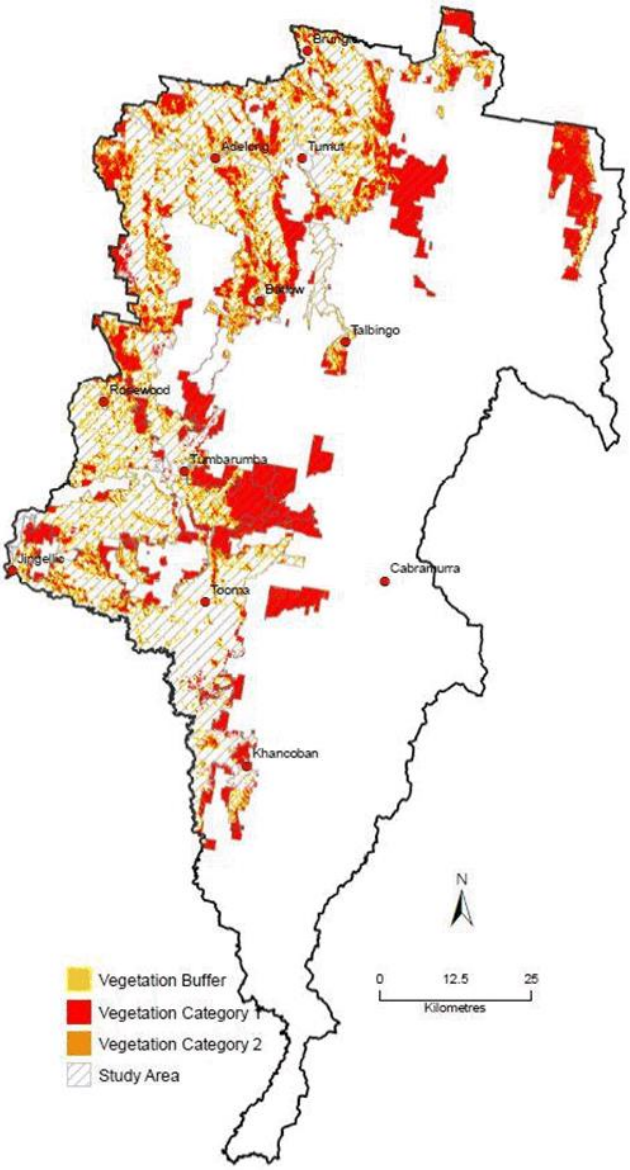
2.3 Bushfire

Bushfires are a feature of the natural environment. The summer of 2019/20 saw much of the LGA impacted by severe bushfires including losses of property, pastures and livestock. Strategic planning needs to consider the level of bushfire hazard whenever land use changes are proposed. Subsequent risks then also need to be evaluated.

The NSW Rural Fire Service has developed *Planning for Bushfire Protection 2019* which provides development standards for designing and building on bushfire prone land in NSW. The guidelines include procedures for strategic planning and development assessment for bushfire prone land and suggest recognition as a 'fire path' for locations with a significant fire history. The guidelines propose the need to undertake a Strategic Bushfire Study in a bushfire prone area to assess the development in a bushfire hazard context, which is particularly important whenever a rural dwelling is proposed. Proposed developments need to avoid bushfire hazard areas. If this is not possible proposed developments must determine how a bushfire hazard can be managed without loss of ecologically significant vegetation.

Bushfire prone land for the Study Area is mapped in Figure 12.

Figure 12: Bushfire Prone Land



The data in Figure 12 indicates a large portion of the Study Area is bushfire prone land.

The bushfire categories[1] in Figure 12 can be described as:

Vegetation Category 1

Considered to be the highest risk for bush fire. This vegetation category has the highest combustibility and likelihood of forming fully developed fires including heavy ember production. Vegetation Category 1 consists of areas of forest, woodlands, heaths (tall and short), forested wetlands and timber plantations.

Vegetation Category 2

Considered to be a lower bush fire risk than Category 1 and Category 3, but higher than the excluded areas. This vegetation category has lower combustibility and/or limited potential fire size due to the vegetation area shape and size, land geography and management practices. Vegetation Category 2 consists of rainforests and lower risk vegetation parcels. These vegetation parcels represent a lower bush fire risk to surrounding development and consist of remnant vegetation, and land with ongoing land management practices that actively reduce bush fire risk.

Vegetation Buffer

The vegetation buffer is based on a 100 metre buffer for Category 1 land and a 30 metre buffer for Category 2 land.

[1] Source: https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0011/4412/Guideline-for-Councils-to-Bushfire-Prone-Area-Land-Mapping.pdf

3.0 CONSULTATION

In the preparation of this Rural Lands Study the following NSW Government Agencies were contacted for their input:

- NSW Planning, Industry & Environment Local and Regional Planning (DPIE);
- NSW Planning, Industry & Environment Biodiversity & Conservation Division (BCD);
- NSW Planning, Industry & Environment Resilience Planning (DPIE Resilience Planning);
- Department of Primary Industries (DPI);
- Department of Primary Industries Fisheries (DPI Fisheries); and
- Heritage NSW.

These Agencies were provided a copy of the brief and asked to provide input. A copy of their responses is included in Annexure 1. A summary of these responses is provided below:

- DPIE – had a number of informal dot points which should be built into "*the Rural Land Use Strategy*". These points are set out in Annexure 1, and are addressed in this Rural Lands Study except for a rural residential supply and demand analysis. This Rural Lands Study has identified land near Tumut which may be suitable for rural living, but has not analysed the need for such land;
- BCD – recommended:
  - "*Mapping land that meets the definition of Category 1 land because it is not constrained by biodiversity.*" Category 1 land is set out in in Section 60H of the Local Land Services Act 2013 and is either land previously legally cleared, or low conservation native grassland or regrowth;
  - "*Council standardise the permissibility of certain developments across the LGA*". This is addressed in Section 8.0 of this Study;
  - "*Council should seek to standardise the powers established by the Local Development Control Plan (DCP) to regulate clearing*". This comment refers to non-rural land which, for the purposes of this Study, is land zoned E3 and R5 as described in Section 2.1;
  - "*Council consider how to balance development and the protection of threatened species habitats by zoning land E2, E3 and E4*", this is addressed in Section 9.1;
  - "*Council enhance flood plain risk management studies and plans for the urban centres in the Snowy Valleys LGA especially where there is demand for rural-residential living*". As shown in Figure 11 only very limited flood mapping data is available for the LGA. Rural residential demand is not addressed in this Study.
- DPIE Resilience Planning – "include flooding and bushfire layer to the mapping required. This will cover off key shocks (natural hazards) that may be experienced". This has been addressed in Figure 11, Figure 12 and Section 5.4 of this Study;

- DPI – provided a draft outline for undertaking rural land strategies which is included in Annexure 1. The focus of this document "*is on recognising the value of agriculture and agricultural lands and ensuring LGA strategic planning includes appropriate mechanisms for managing rural lands and ensuring LGA strategic planning includes appropriate mechanisms for managing rural lands for ongoing agriculture*". This Rural Lands Study has addressed the value of agriculture (in Section 4.0) and mechanisms to protect agricultural land including land use tables and minimum lot size (refer to Sections 8.0 and 9.0). Further comments on the draft outline are provided in Annexure 3; and
- DPI Fisheries - retain "*the Riparian Lands and Watercourse provisions*" as set out in Part 6, Section 6.5 of the *Tumut LEP 2012*.

4.0 AGRICULTURE IN THE LGA

Primary Production (agriculture and forestry) is the dominant land use within the LGA comprising 51% of the LGA (refer to Table 1 and Figure 3). 17% of the LGA is zoned RU3 Forestry. The forestry industry is a significant industry within the LGA with major timber processing mills producing timber and paper products located near Tumut and Tumbarumba. The total value of the forestry, and associated value-adding industry, to the LGA in 2016 was $318M[2]

The objectives for the RU3 Forestry zone in both the *Tumbarumba LEP 2010* and *Tumut LEP 2012* are:

- *"To enable development for forestry purposes*
- *To enable other development that is compatible with forestry land uses"*

Under the *Tumut LEP 2012,* in the RU3 Forestry zone, roads are permitted without consent and aquaculture is permitted with consent. Under the *Tumbarumba LEP 2010,* in the RU3 Forestry zone, extensive agriculture is permitted without consent and aquaculture, roads and water supply systems are permitted with consent. As dwellings are not permitted in the RU3 zone, there is no minimum lot size applicable to this zone.

As the RU3 Forestry zone was not included in the tasks to be addressed in the Project Brief, no further consideration is given to this zone in this report.

4.1 Value and Type of Agricultural Commodities Produced

According to the *Australian Bureau of Statistics (ABS) Agricultural Census 2016* data the (farm gate) value of agricultural commodities produced in the Snowy Valleys LGA in 2016 was $143M comprising $99M from livestock production and $44M from horticulture and cropping. This information is summarised in Table 2 and Table 3. When local value-adding is taken into account the value of agricultural commodities produced in 2016 was $218M[3] which is 26% of the LGA's 2016 Gross Regional Product of $841M[4].

The value of livestock production in the LGA in 2011 and 2016, and the number of livestock in the 2011 *ABS Agricultural Census* is provided in Table 2.

[2] Snowy Valleys Regional Economic Development Strategy 2018 - 2022

[3] Snowy Valleys Regional Economic Development Strategy 2018 - 2022

Table 2: Livestock Production

Product	Value $ 2011	Value $ 2016	No Head 2011
Wool	7,100,000	6,361,711	
Milk	10,200,000	13,413,091	7,465
Eggs	-	56,166	409
Meat			
Sheep	6,100,000	4,889,510	245,528
Cattle	52,900,000	74,168,903	175,247
Goats	-	9,630	NA
Pigs	100,000	50,315	167
Poultry	100,000	21,038	NA
Horses	NA	NA	1,527
Total	**76,500,000**	**98,970,364**	**430,343**

The data in Table 2 indicates:

- Livestock production comprises just under 70% of the total value of agricultural commodities produced in the LGA in 2016. This is an increase from 57% in 2011;
- In 2016 cattle, including meat and dairy, comprise 88% of the total value of livestock commodities produced;
- In 2016 sheep, including meat and wool, comprise 11% of the total value of livestock commodities produced;
- In 2016 goats, pigs and poultry comprise less than 1% of the total value of livestock commodities produced; and
- The value of cattle production as a proportion (of the total) and overall increased from 2011 to 2016 and the value of sheep commodities produced declined over the same period.

According to the *ABS Agricultural Census* data, the value of horticultural and crop production in 2011 and 2016 is provided in Table 3.

Table 3: Horticulture and Crop Production

Product	Value $ 2011	Value $ 2016
Annual Crops	4,200,000	1,845,926
Hay	5,000,000	2,564,737
Nurseries	800,000	1,179,057
Apples	44,600,000	30,012,270
Stone Fruit	1,500,000	1,176,026
Blueberries	1,900,000	6,480,947
Nuts	-	324,504
Wine grapes	200,000	514,536
Total	**58,200,000**	**44,098,003**

The data in Table 3 indicates in 2016:

- The value of horticulture and crop production comprised 31% of the total value of agricultural production for the LGA;
- The value of apples produced was $30M which was nearly 70% of the total value of horticulture and crop production in the LGA and based on ABS data is just over 60% of the value of apples produced in NSW in 2016; and
- The value of horticulture, wine grapes and nurseries in 2016 was $39.7M which is 90% of the total value of horticulture and crop commodities produced.

The data in Table 3 also indicates, from 2011 to 2016:

- The total value of horticulture and crop production decreased by $14.1M;
- The value of apples produced decreased by $14.6M;
- The value of blueberries produced increased by $4.6M (3.4 times); and
- The value of wine grapes produced increased by $0.3M (2.6 times).

Based on the data in Table 2, Table 3 and Table 4 (below) in 2016 in the LGA:

- The value of horticultural production per hectare was about $21,500/ha;
- The value of annual crop production per hectare was about $177/ha; and
- The value of livestock production per hectare was about $365/ha.

4.2 Land Use

According to *ABARES 2017*, land use in the Study Area is summarised in Table 4 and depicted in Figure 13.

Table 4: Study Area Land Use

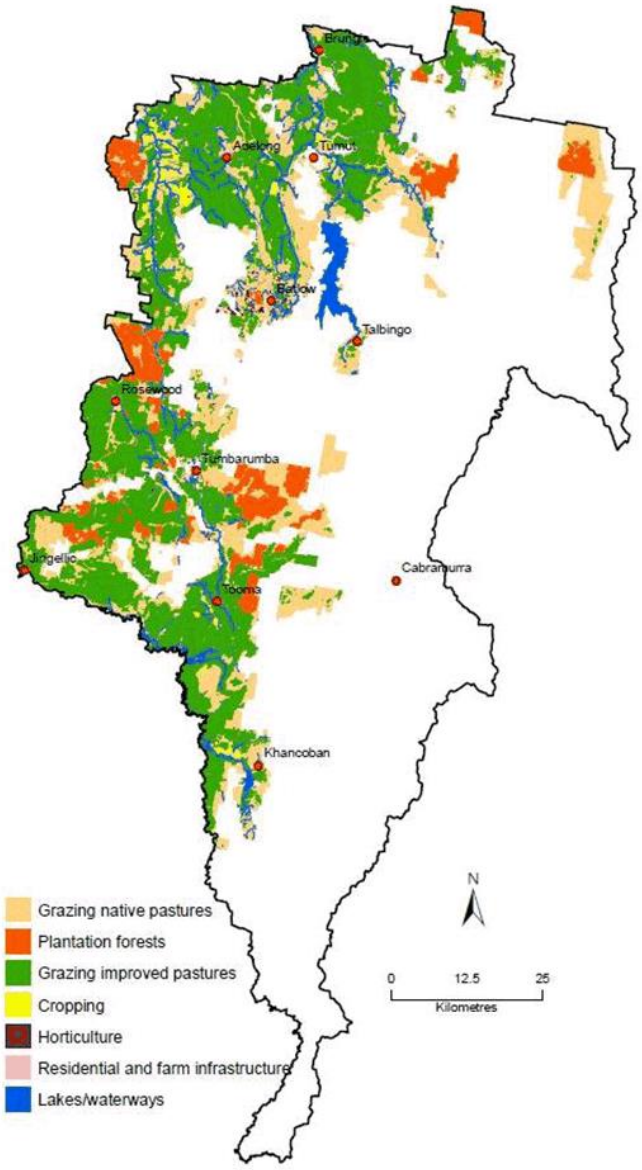
Land Use	Area (ha)	Proportion
Grazing improved pastures	175,221	53%
Grazing native pastures	96,211	29%
Plantation forests	23,444	7%
Water bodies and waterways	13,294	4%
Annual cropping	10,410	3%
Residential and farm infrastructure	2,865	1%
Horticulture	1,847	1%
Natural resources	2,018	1%
Services	1,568	<1%
Production native forests	1,144	<1%
Manufacturing	112	<1%
Mining	81	<1%
Intensive animal production	42	<1%
Total	**328,257**	

The data in Table 4 and depicted in Figure 13 indicates:

- 82% of the Study Area is native and improved pastures used for livestock grazing which is the dominant agricultural land use;
- 7% of the Study Area is used for plantation forests;
- 4% of the Study Area is used for horticulture or annual cropping; and
- 4% of the Study Area is water bodies and waterways, including Lake Blowering.

The data in Table 3 and Table 4 indicates that the significance of horticulture (including viticulture and nurseries) to the LGA as 28% ($39.7M) of the total value of agricultural commodities produced and arises from only 1% of the agricultural land.

Figure 13: Land Use



Having regard for Figure 13 and the data in Table 4, the majority of pastures within the Study Area are improved pastures. Native pastures tend to be located at the high elevations and/or steeper slopes (refer to Figure 9 and Figure 13). Plantation forests are also confined to the steeper slopes and/or higher elevation areas.

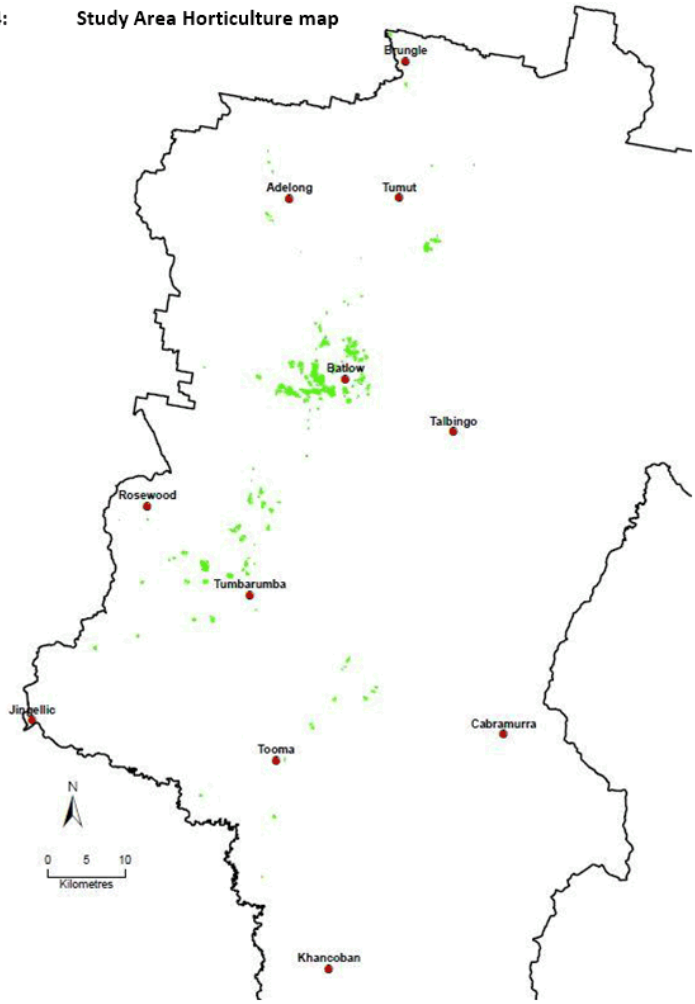
Comparing the data in Table 4 to *ABARES* land use data for 2007 and 2013 indicates:

- A reduction in horticulture from 3,105ha in 2007 to 2,119ha in 2013 and down to 1,847ha in 2017. In particular a reduction in tree fruits (apples) from 2,677ha in 2007 to 2,057ha in 2013 to 1,321ha in 2017. Most of this area reduction occurred around Tumut and north/north-east of Batlow;
- An increase in annual cropping from 1,213ha in 2007 to 9,786ha in 2013 and 10,410ha in 2017; and
- Minimal changes in most other categories.

4.3 Intensive Agricultural Production

Intensive plant agricultural production in the Study Area is depicted in Figure 14 showing areas around Batlow (predominantly apple orchards) and vineyards around Tumbarumba and Tooma and blueberries north of Tumbarumba. Figure 14 is based on the data in Table 4 and Figure 13.

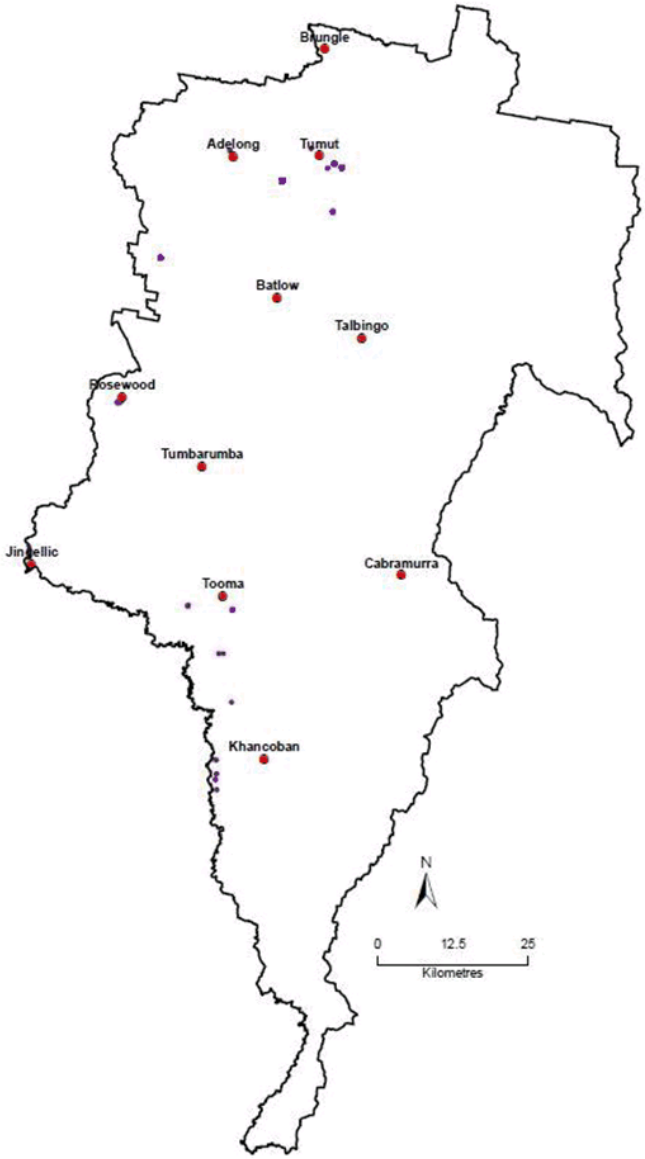
Figure 14: Study Area Horticulture map



Maps of Horticultural Land Use (Figure 14) and Land and Soil Capability Class 3 (refer to Figure 16), Prime Agricultural Land (refer to Figure 18) and BSAL (refer to Figure 19) are included in Annexure 2 . The three maps in Annexure 2 indicate there is no correlation between land capability and the location of horticulture in the Study Area.

Intensive Animal Production in the Study Area is depicted in Figure 15 which is based on the data in Table 4 and Figure 13.

Figure 15: Intensive Animal Locations



According to the land use data (depicted in Figure 13) there are 21 locations identified as intensive animal production in the LGA which includes saleyards at Adelong and Tumut, the Riding for the Disabled facilities at Tumut, aquaculture (trout) facilities on the Tumut River downstream of the Blowering Dam wall and on the Goobarragandra River at Goobarragandra, one unknown facility east of Rosewood, three feedlots and 12 dairies located east of Tumut on the river plains and north or west of Khancoban on the Murray River plains. There are likely to be other dairies on the productive river flood plains and other smaller scale feedlots that are not identified. Dairy operations tend to result in less land use conflict than feedlots, but there is a trend towards more controlled feeding of dairy cattle. Given the major land use in the RU1 zone is the grazing of cattle, it is possible more on-farm feedlots may arise in the future.

4.4 Land Use Trends

Land use trends in the LGA as set out above include the:

- Value of agricultural commodities produced is increasing over time;
- Value of production from cattle is increasing and from sheep is decreasing;
- Value of production from apples is decreasing, and from blueberries and wine grapes is increasing; and
- Area of horticultural production is decreasing.

Broader trends in agriculture across the state include:

- Increasing intensification of livestock production including more supplementary and/or controlled livestock feeding;
- Increasing size and/or scale of livestock and cropping enterprises to address (but not limited to) opportunities for intensification and/or diversification, changing farm management practices, ongoing farm succession planning as well as responding to declining terms of trade;
- Increasing intensification of horticultural production, including protected cropping and hydroponic systems which are less reliant on high capability land, but are reliant on climate, land, water, labour and processing **infrastructure**; and
- Increasing value-adding and secondary industries on farm (agritourism) including cider and wine making facilities, cellar doors and farm stays.

4.5 Infrastructure and Value-Adding

Agriculture in the LGA relies heavily on 'enabling' infrastructure including roads and services such as telecommunications and electricity. **Roads** are essential to agriculture for transportation of staff, support services, inputs and produce. Significant technical advances in agriculture are reliant on access to **high quality mobile phone services**. The hilly to mountainous topography of the LGA coupled with a narrow focus by the service providers on populated areas are constraints to reliable mobile phone reception. Despite the LGA's proximity to the Snowy Hydro network, challenging topography, damage from the 2019 bushfires and an aged supply network means **electricity** supply is often a constraint to development within the LGA; in particular constraining businesses with high electricity demands required for processing and value-adding.

Major timber mills are located at Tumbarumba and Tumut and these mills process (value-add) timber produced by forestry enterprises in the LGA located on land zoned RU1 and RU3. Despite the major agricultural land use being livestock production (including dairies) there are no dairy processors or abattoirs located in the LGA. The nearest abattoirs are located to the north and east at Gundagai, Junee and Wagga Wagga and the nearest dairy processors are located at Wagga Wagga and Albury.

Horticulture and viticulture have significant value-adding facilities located within the LGA which includes wineries, packing sheds and cideries which are all mostly located at Batlow, Tumbarumba and surrounds. Cellar doors and restaurants are natural value-adding options to complement these businesses and growth of such facilities is expected.

4.6 Summary

Agriculture is a core industry and core driver of the Snowy Valleys LGA contributing 26% of the total Gross Regional Product and comprising nearly 37% of the land use and therefore warrants protection.

5.0 BIOPHYSICAL FEATURES

5.1 Land Capability

Land capability for the Study Area, using the Land and Soil Capability Mapping for NSW system (*DPIE 2020*), is depicted in Figure 16 and Table 5. This system is based on a land classification system of Class 1 to Class 8, with Class 1 being the land most capable for agricultural use and Class 8 being unsuitable for agriculture.

A description of the land classes from *DPIE 2020* is provided below.

LSC Class – General definition

Land capable of a wide variety of land uses (cropping, grazing, horticulture, forestry, nature conservation)

1 Extremely high capability land. Land has no limitations.

2 Very high capability land. Land has slight limitations.

3 High capability land. Land has moderate limitations and is capable of sustaining high-impact land uses.

Land capable of a variety of land uses (cropping with restricted cultivation, pasture cropping, grazing, some horticulture, forestry, nature conservation)

4 Moderate capability land. Land has moderate to high limitations for high-impact land uses.

5 Moderate-low capability land. Land has high limitations for high-impact land uses.

Land capable for a limited set of land uses (grazing, forestry and nature conservation, some horticulture)

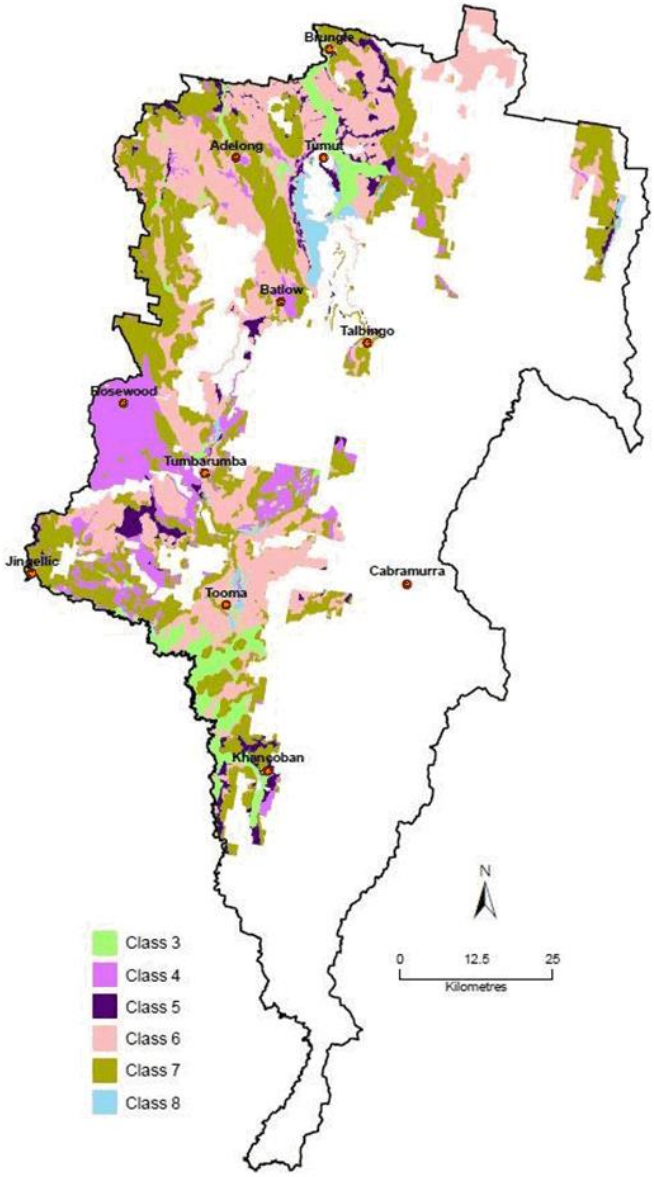
6 Low capability land. Land has very high limitations for high-impact land uses.

Land generally incapable of agricultural land use (selective forestry and nature conservation)

7 Very low capability land. Land has severe limitations that restrict most land uses and generally cannot be overcome.

8 Extremely low capability land. Limitations are so severe that the land is incapable of sustaining any land use apart from nature conservation.

Figure 16: Land and Soil Capability



A summary of the data in Figure 16 is provided in Table 5 below.

Table 5: Study Area Land and Soil Capability

LSC Class	Area (ha)	Proportion
3	34,182	11%
4	53,907	17%
5	22,875	7%
6	108,105	33%
7	96,727	30%
8	7,443	2%
Total	**323,239**	

The data in Table 5 excludes water and land not assessed within the Study Area. The data in Table 5 indicates:

- 28% of the area is moderate or high capability land;
- 40% of the area is low or moderate to low capability land; and
- 32% of the area is very low or extremely low capability land, this area correlates with the steep slopes depicted in Figure 9.

As a comparison to Figure 16 land capability for the Study Area is depicted in Figure 17 and summarised in Table 6. The data is based on *Emery, K.A. 1988* using a land classification system of Class 1 to Class 8, with Class 1 being the most capable for agricultural use and Class 7 and Class 8 being unsuitable for agriculture.

Figure 17: Land Capability

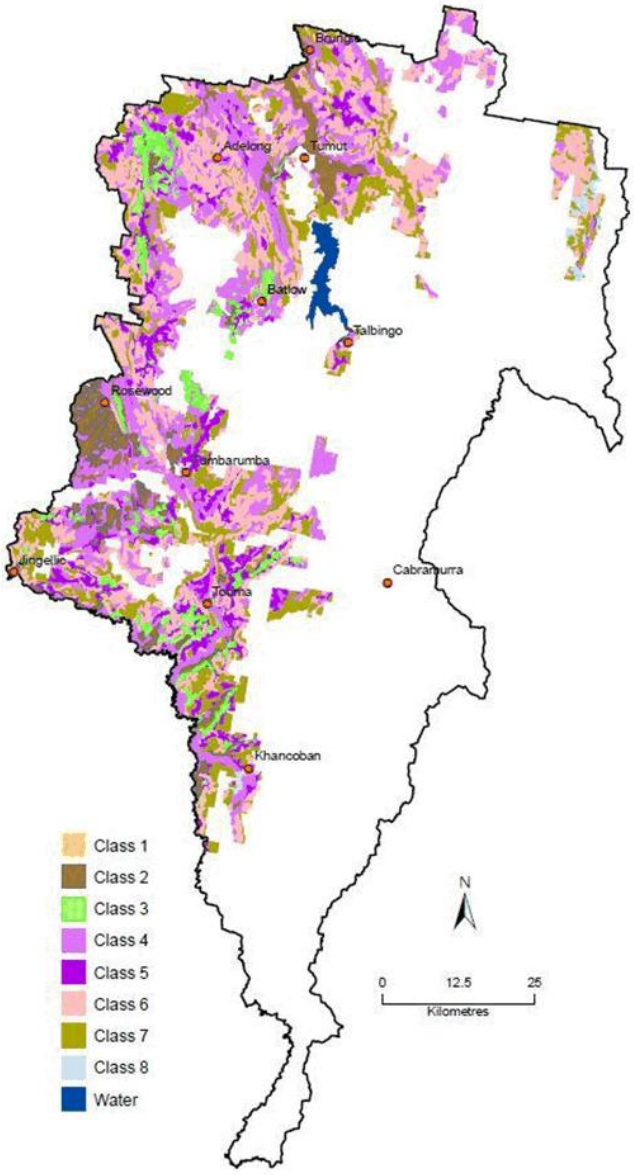


Table 6: Study Area Land Capability

Class	Description	Area (ha)	Proportion
1	Suitable for regular cultivation	38	0%
2	Suitable for regular cultivation with soil conservation practices	28,797	9%
3	Suitable for regular cultivation with soil conservation practices/works and adequate crop rotation	18,463	6%
4	Suitable for grazing with occasional cultivation and soil conservation practices	82,419	25%
5	Suitable for grazing with occasional cultivation and soil conservation practices/works	39,034	12%
6	Suitable for grazing with no cultivation	85,154	26%
7	Land best protected by green timber	63,844	19%
8	Cliffs, lakes or swamps and other lands unsuitable for agricultural and pastoral production	2,253	1%
N.P.	National Park	750	0%
S.F.	State Forest	3,138	1%
U	Urban Area	251	0%
Water	Water bodies	4,192	1%
	Total	**328,334**	

With respect to the Study Area, the data in Table 6 indicates:

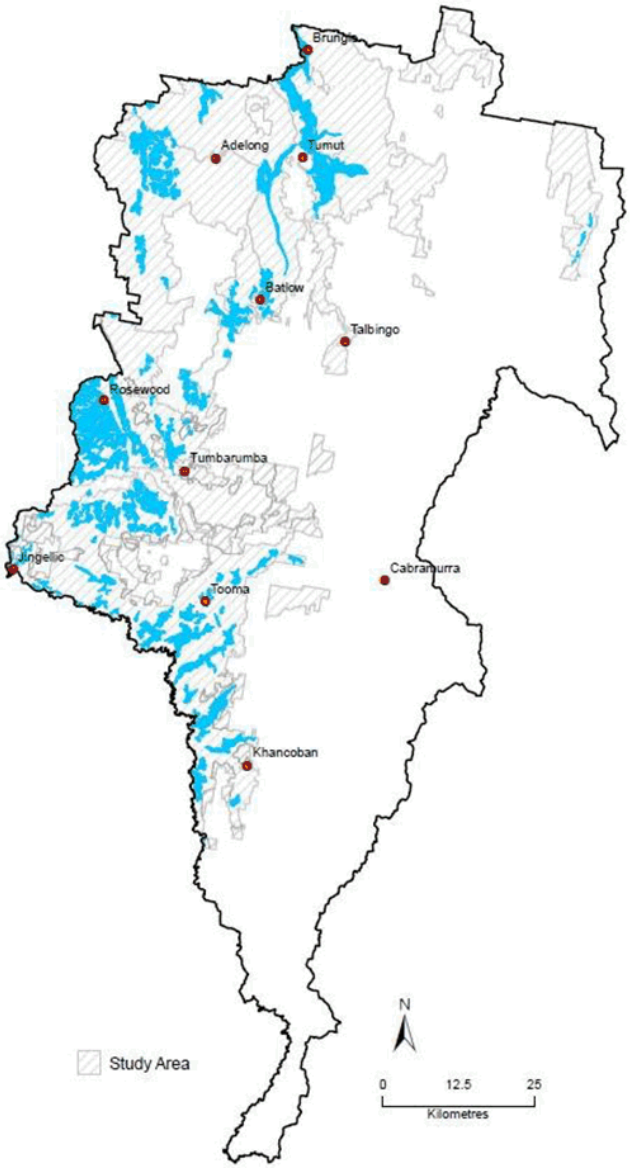
- 15% (47,298ha) of the area is classified as Classes 1, 2 and 3 which is land suitable for regular cultivation. These three land classes are collectively also known as Prime Agricultural Land. Prime Agricultural Land in the Study Area is depicted in Figure 18;
- 63% (206,607ha) of the area is classified as Classes 4, 5 and 6 which is land best suited to grazing;
- 20% of the area is not suited to agriculture;
- 2% of the area is National Park, State Forest, urban area or water bodies.

A further description of each land class is provided in Table 7:

Table 7: Land Class Description

Class	Suitable for	Limitations	Land Use Suitability	Land Use Examples
Class 1	Regular cultivation	Very slight to negligible	Suitable for most rural land use	Horticulture, intensive cropping & grazing
Class 2	Regular cultivation	Slight but significant	Capable of a wide range of land uses	Intensive cropping, grazing & forestry
Class 3	Regular cultivation	Moderate	Capable of most land uses	Cropping, grazing & forestry
Class 4	Grazing with occasional cultivation	Moderate to severe	Capable of a range of land uses	Cropping, grazing & forestry
Class 5	Grazing with occasional cultivation	Severe	Capable of some land uses	Grazing & forestry
Class 6	Grazing with no cultivation	Very severe	Capable of a limited range of land uses	Grazing & forestry
Class 7	Other	Extremely severe	May be suitable for commercial plantations	Commercial plantations & biodiversity habitat
Class 8	Other	Extremely severe	Non-farming only	Cliffs, quarries and billabongs

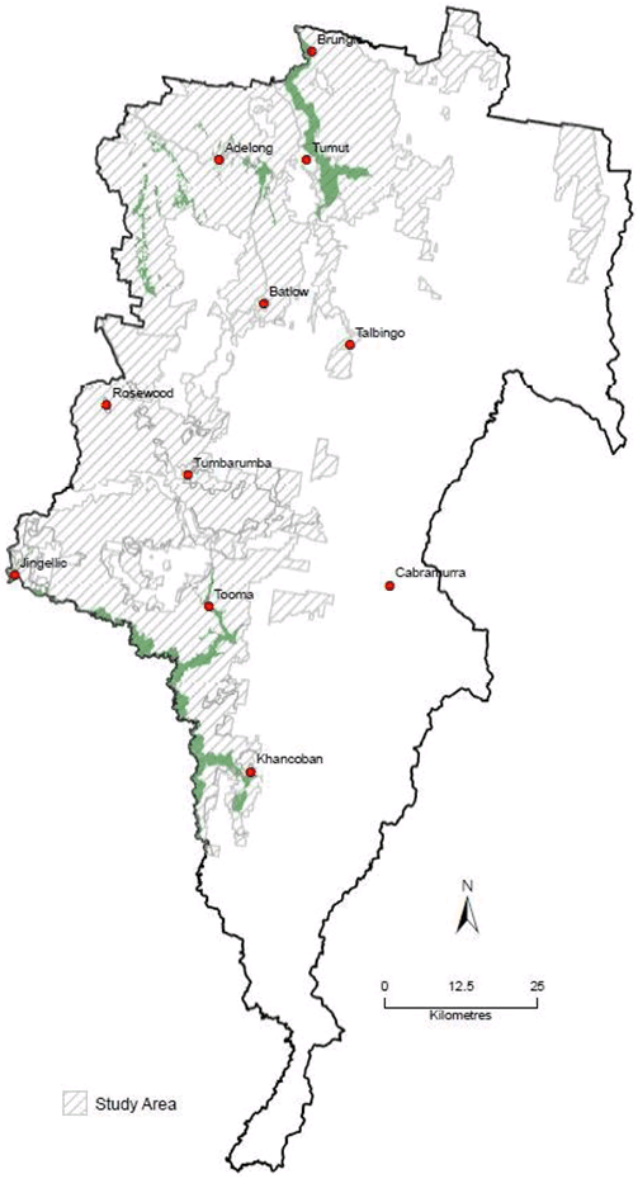
Figure 18: Prime Agricultural Land



The data in Figure 18 indicates Prime Agricultural Land is located on the western side of the LGA along the floodplains and undulating lower valleys as well as some higher elevated areas near Batlow.

NSW Department of Primary Industries has identified Biophysical Strategic Agricultural Land (BSAL) which has high quality soil and water resources capable of sustaining high levels of productivity. Areas identified as BSAL in the Snowy Valleys LGA are provided in Figure 19.

Figure 19: Biophysical Strategic Agricultural Land



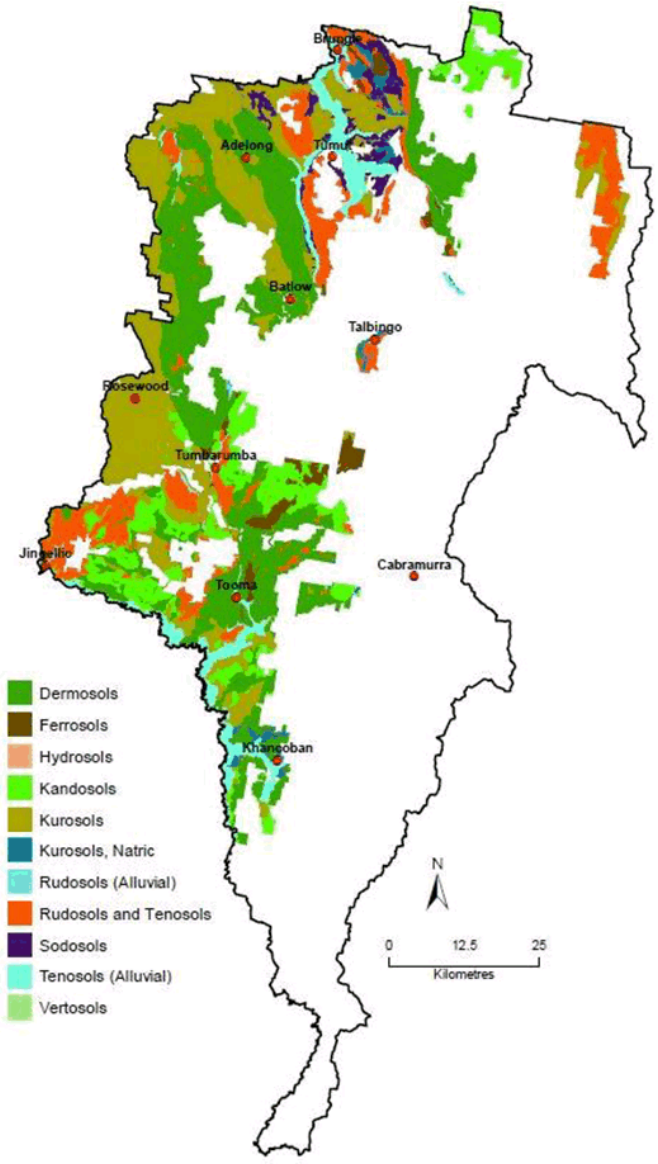
Map Source: https://www.planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Safeguarding-our-Agricultural-Land

BSAL covers just over 25,000ha in the LGA and is predominantly located on the productive lower valleys and floodplains. BSAL covers 73% of the land identified as Class 3 in Figure 16. The majority (but not all) of the land categorised as BSAL in Figure 19 is also Prime Agricultural Land as depicted in Figure 18.

5.2 Soils

The soils of the Study Area have been mapped using the *Australian Soil Classification Scheme* and are provided in Figure 20.

Figure 20: Study Area Soil Types



A summary of the area of each soil type in Figure 20 is provided in Table 8:

Table 8: Study Area Soil Types

Soil Types	Total	Proportion
Dermosols	103,111	32%
Kurosols	87,280	27%
Rudosols and Tenosols	42,101	13%
Kandosols	35,382	11%
Tenosols (Alluvial)	20,635	7%
Ferrosols	11,700	4%
Sodosols	9,319	3%
Kurosols, Natric	7,018	2%
Rudosols (Alluvial)	709	0%
Hydrosols	97	0%
Vertosols	58	0%
Total	**317,410**	

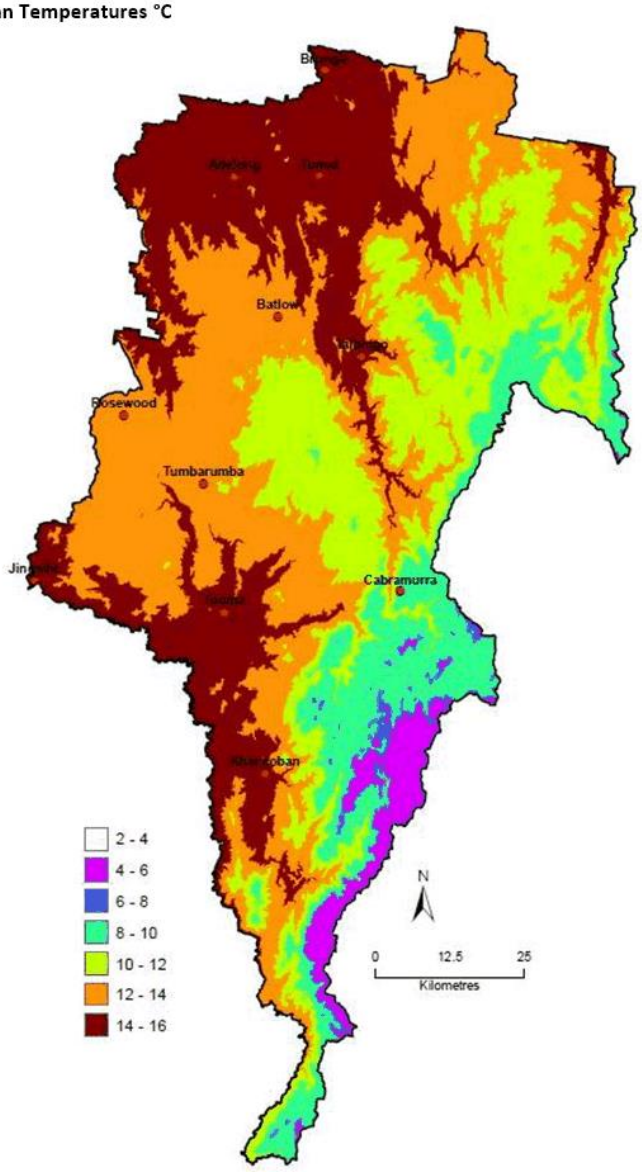
A description of the key soil types in the Study Area, as listed in Table 8, is provided as follows:

- Dermosols include red, yellow and brown earths and red podzolic soils and are usually acidic, deep, well structured and well drained soils that generally occur in hilly areas;
- Kurosols include grey-brown, yellow podzolic and brown podzolic soils and are loamy soils with an acid clay sub-soil;
- Rudosols and Tenosols are shallow soils that often have low water holding capacity and low fertility and include alluvial and sandy soils and tend to be located on floodplains;
- Kandosols are similar to Dermosols and are often referred to as earthy soils and include red and yellow earths, and red and brown hardpan soils. They are mostly well-drained but have less structural subsoil development than Dermosols;
- Ferrosols are fertile, deep, well-structured friable basalt soils that are generally strongly acid; and
- Sodosols are sandy loam to clay loam soils with a medium to heavy clay subsoil which is typically sodic.

5.3 Climate

The climate of the Snowy Valleys LGA can be described as temperate. Mean temperatures for the LGA are depicted in Figure 21.

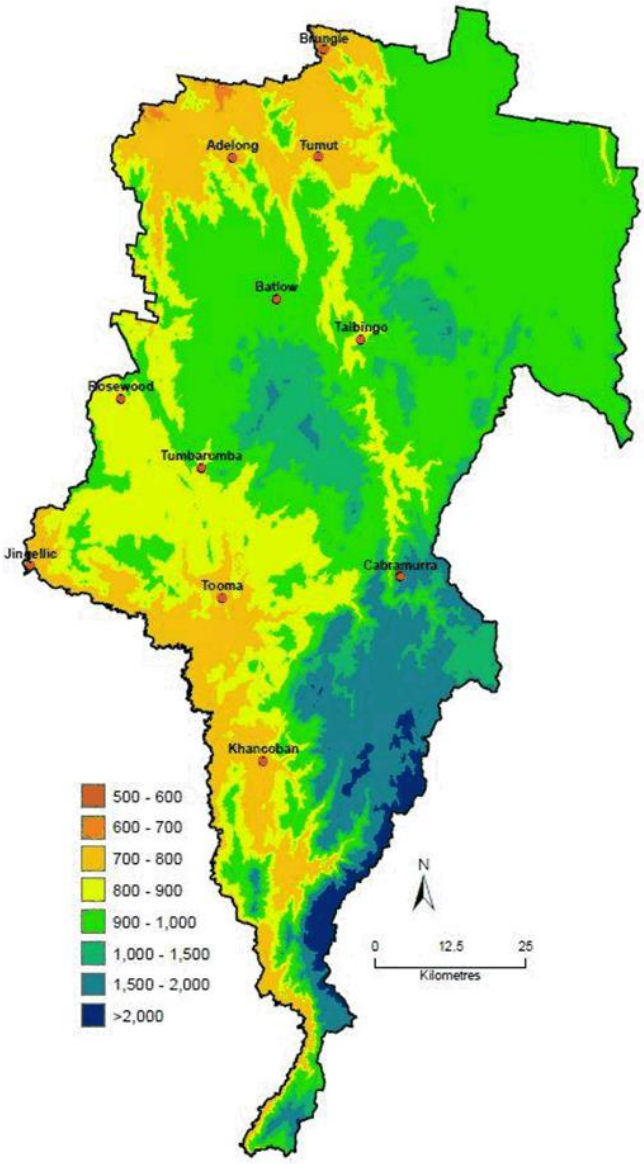
Figure 21: Mean Temperatures °C



The data in Figure 21 indicates mean temperatures are lowest on the Snowy Mountains and Highlands and increase as elevation decreases. The highest mean temperatures are along the Murray River and lower sections of the Tumut River, and at Adelong and surrounds.

Average annual rainfall for the LGA is depicted in Figure 22.

Figure 22: Average annual Rainfall (mm)



The data in Figure 22 shows a rainfall pattern similar to the mean temperature in pattern Figure 21. The pattern is related to elevation with the lowest average annual rainfall on the lower portions of the LGA around Tooma, Khancoban, Adelong and Tumut, and highest average rainfall in the higher elevation areas of the Snowy Mountains in the south-east of the LGA.

5.4 Climate Change

The 2020 Snowy Valleys Council *Local Strategic Planning Statement* states:

> *"Planning Priority 3 Adapt to the impacts of hazards and climate change.*
>
> *Rationale*
> *Snowy Valley's terrain, bushland and spectacular visual setting, whilst contributing to the special sense of place of the area, results in certain areas of the area being affected by natural hazards including bushfire, flooding, land slip and acid sulphate soils.*
>
> *The climate of New South Wales is changing. Over the coming years, Snowy Valleys is likely to experience higher temperatures, fewer frosts, altered rainfall patterns, and changes in the frequency and intensity of natural hazards like bushfires, flooding and heatwaves. These hazards and extreme weather events have the potential to impact not only built assets such as roads, stormwater drains and buildings, but also increase demand for services such as water supply and community support. In planning for a sustainable and liveable Snowy Valleys, it is important that Council identifies the potential risks associated with a changing climate. By better understanding these risks, Council can work to establish a framework to manage climate risk and increase resilience.*
>
> *Loss of vegetation and increase in urban surfaces results in urban areas creating their own microclimates as roads, driveways and buildings absorb, hold and re-radiate heat, raising the air temperature. This is known as the urban heat island effect. Maintaining canopy cover and ensuring good building design is important to help mitigate the heat island effect.*
>
> *Stated aspirations of the NSW Government are to achieve net-zero emissions by 2050 and ensure that NSW is more resilient to a changing climate."*

Direction 16 of the *Riverina Murray Regional Plan 2036* is:

> *"Increase resilience to natural hazards and climate change"*

Action 16.1 of the *Riverina Murray Regional Plan 2036* states:

> *"Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community's exposure to natural hazards."*

Known areas of high biodiversity value and bushfire and flood prone land are addressed in Section 2.0 of this Rural Lands Study. With respect to agriculture, the likely impacts of climate change, including natural hazards (bushfire and flooding) and altered rainfall patterns, will negatively impact agricultural production. Agricultural producers will require sound risk management and resilience to meet the challenges of climate change. **Diversification** and **intensification** are key strategies to assist agricultural producers to mitigate climate change impacts.

6.0 RELEVANT PLANNING DOCUMENTS

Strategic Planning and other document relevant to this Study are addressed in Section 6.1, Section 6.2 below and Annexure 3.

6.1 Council Documents

The Snowy Valleys Council *Local Strategic Planning Statement*, dated March 2020 includes the following planning priorities:

> *"Advocate for and support the provision of diverse housing choices and opportunities to meet changing demographics and population needs, with housing growth in the right locations."*
>
> and
>
> *"Encourage sustainable tourism initiatives which create employment and boost the local economy."*

The rationale for the first priority (above) includes:

> *"Towns and villages within Snowy Valleys have the capacity within the existing urban footprints to cater for any moderate growth that may occur if the projected decline in population growth reverses. In this regard population growth will be encouraged and assisted by Council through enhancing lifestyle opportunities for existing and potential future residents by identifying and providing additional land for rural living in the vicinity of Tumut."*

Options for additional land for rural living near Tumut is addressed in Section 10.0 of this report.

The rationale for the second priority (above) includes:

> *"Further development and coordination of supporting complementary products across both food and agritourism will enhance the appeal of the Snowy Valleys as a touring and nature-based destination."*

Two (of the three) core strategies within the *Snowy Valleys Regional Economic Development Strategy 2018-22* are:

> *"▪ Support the growth of the Forestry and Timber Processing and Agriculture sectors through improving access and reliability of infrastructure and utilities;*
>
> *▪ Continue to develop and grow the Tourism sector to diversify the Region's economy."*

6.2 NSW Government Documents

There are four key NSW Government planning documents of relevance to this Rural Lands Study being:

- Riverina Murray Regional Plan 2036 (Department of Planning & Environment 2017);
- Agriculture Industry Snapshot for Planning – Eastern Riverina Sub Region (Department of Primary Industries 2020);
- Strategic Planning for Agriculture (Draft) NSW Department of Primary Industries, 2021; and
- Agri-tourism and small-scale agriculture development – Explanation of Intended Effect (Department of Planning, Industry and Environment 2021).

Key sections of the four above documents are addressed in Annexure 3.

6.3 Summary

Key points arising from the information set out in Section 6.1, Section 6.2 and Annexure 3 include:

- The need to identify and protect agricultural land given the importance of agriculture to the LGA;
- Fragmentation drives land prices up and impedes agricultural expansion;
- Agriculture needs protection by the planning system to reduce the risk of fragmentation and the risk of land use conflict;
- Agriculture relies on access to quality infrastructure and secondary industries;
- Development on rural land needs to be managed to minimise impacts on the local environment;
- Agritourism is an emerging industry with growth opportunities that will support economic development of the region;
- The planning system needs amending to accommodate agritourism;
- Agritourism needs to complement existing agricultural enterprises and be sited in locations away from intensive agricultural production areas;
- Non-agricultural development in agricultural areas increases land values which reduces opportunities for agricultural expansion and leads to fragmentation and land use conflict;
- Land use conflict can arise from incompatible development and can be minimised with appropriate minimum lot sizes allowing appropriate buffer distances; and
- Planning controls need to encourage compatible land uses (including value adding) and limit and/or separate incompatible land uses through minimum lot size controls and permitted land use tables.

7.0 LAND USE CONFLICT

Land use conflict is a key issue for agriculture. Rural land use conflict arises from perceived or real incompatibility between agricultural practices and neighbouring land uses. The potential for rural land use conflict is exacerbated where pre-existing notions of pristine rural residency are met with the reality of living in close proximity to normal agricultural practices.

Typical farming practices can result in land use conflict including noise, odour, dust, smoke, chemical drift, water quality issues, vehicle movements, hours of operation and poor visual amenity. Complainants will often seek remedies that restrict farm activities to minimise disturbance to nearby residents. Examples include limitations on the hours in which machinery may be used, the type of fertiliser that may be applied and creation of on-site/on-farm 'buffers' or areas that can't be used for a productive agricultural purpose. Such restrictions can threaten the viability of a farming business in that location.

Proximity of residential or rural-residential neighbours can hinder agricultural production. Sources of problems from non-farming neighbours include unchecked weeds, biosecurity risks, and pest animals (including domestic cats and dogs).

The key drivers of rural land use conflict are:

- Lack of understanding of new residents about agricultural operations;
- Lack of communication between farmers, community members and neighbours;
- Non-agricultural uses encroaching into agricultural land; and
- Proximity of non-compatible agricultural uses.

There is a need for all agricultural industries in conjunction with all levels of government to quantify what constitutes normal, acceptable, and reasonable farm practices.

The current key State government publications which address rural land use conflict are addressed below.

NSW Department of Primary Industries, 2011 states:

> *"Land use conflicts occur when one land user is perceived to infringe upon the rights, values or amenity of another. In rural areas land use conflicts commonly occur between agricultural and residential uses. However, land use conflicts can also occur between different agricultural enterprises and other industries including mining, forestry, aquaculture and fishing enterprises.*
>
> *Rural amenity issues are the most common land use conflict issues, followed by environmental protection issues."*

and

> *"Land Use Conflict Risk Assessment (LUCRA) is a system to identify and assess the potential for land use conflict to occur between neighbouring land uses. It helps land managers and consent authorities assess the possibility for and potential level of future land use conflict."*

Rural amenity issues include impacts to air quality and visual amenity and arising from noise. Environmental protection issues include soil erosion, native vegetation clearing and livestock access to waterways. Direct impacts from neighbouring land use include livestock being harassed by straying domestic animals, trespass, changes to water flow or water availability and pest animal and weed management issues.

McRobert, K. et al 2020 states:

> *"Farm related land use conflict in NSW extends beyond neighbourhood amenity dispute issues and peri-urban zones, encompassing water management rights, health concerns, disagreement on zoning or planning choices and debates over best practice farming in regions."*

and

> *"Farmers can suffer significant economic consequences from land use conflict. However, this research shows the most severe impacts from these disputes are largely non-financial."*
>
> *"In terms of policy and planning, a key conclusion from the research is the need for the acceptance and defence of State-wide acceptable agricultural practices by government, agencies and industry. Many conflicts are fostered by misunderstanding of what constitutes a 'normal' farm practice. This set of acceptable practices must be informed by social expectation and reinforced by clear planning guidelines. Strategic responses include the need to improve education and awareness of normal farm practice."*

and

> *"When conflict does occur, employment of consistent strategy and engagement activities by the relevant authorities and agencies can address most impacts; for example:*
>
> *"▪ Consistent State-wide planning guides to clarify development processes and attach value to acceptable agricultural practice;*
>
> - *Transparent communication about acceptable farm practice, fostered by an independent arbitrator;*
> - *Clear channels to resolve conflicts outside the regulatory or legal system;*
> - *Digital and personal education initiatives based on behavioural science; and*
> - *Effective resourcing of compliance at all levels to engender trust in the system from all stakeholders.*

> *The complexity of land use conflict in NSW agriculture is difficult to overstate. However, at a time when agriculture is under increasing pressure from our changing climate there is no doubting the need for both proactive and reactive responses to manage the disruptive uncertainty created by conflict, which ultimately threatens the right to farm."*

McRobert, K. et al 2020 noted the following unique contributing factors arising from a case study in the adjoining Greater Hume LGA:

> *"Council's focus is on mitigating complaints rather than ensuring acceptable practices are implemented.*
>
> *Lack of skills, knowledge and resources for local council to prevent conflict occurring and managing it when it does.*
>
> *Community feels marginalised in State Significant Development planning process.*
>
> *Community benchmarking farming operations against old, outdated perceptions.*

McRobert, K. et al 2020 states:

> *'During interviews, multiple stakeholders mentioned that* ***focus tends to be on mitigating complaints related to agricultural production, rather than ensuring the complaints are justified and that the agricultural activity is considered an acceptable practice****.'*

and

> *"When a complaint is made by a neighbouring land user about the farming practices, the* ***knowledge, experience and qualifications of the farmer can be overlooked****."*

and

> *"Through stakeholder interviews, it seems that often the* ***onus is placed on the farmer to prove they are innocent*** *rather than the complainant and/or regulatory body proving that the issue exists (and that the farmer is at fault)."*

Recommendations in *McRoberts, K. et al 2020* include:

> *"▪ Acknowledgment in residential development planning that neighbouring agricultural land is not static in use and may change practice (e.g. from grazing to dairy) which could impact differently on sensitive receptors;*
>
> *▪ Revision of minimum lot sizes and concessional allotment provisions within zoning regulation to halt urban-rural land use zone creep and fragmentation/alienation of productive land while retaining financial value for landholders;*

- *A **legislated dispute resolution mechanism** should be introduced to manage conflict over both proposed developments and extant primary production practices, preferably overseen by an independent arbiter (e.g. agricultural commissioner or ombudsman) with expertise in and legislated authority to rule on acceptable farm practice;*
- ***Just distribution of consistent, outcomes – based buffer zone requirements***
  - *i.e. it is unreasonable to (a) expect an agricultural producer to impose a buffer on their land and thus sterilise part of the operation if a neighbour legally builds within that buffer zone or (b) expect a sensitive receptor to move away from the boundary if an agricultural operator changes practice which impacts the receptor."*

NSW Department of Primary Industries, 2019 states:

> *"Agricultural land is a finite resource. Most production systems are only suitable for certain soil types, landscapes and climatic conditions. Some areas where primary production has a long history, such as western Sydney, are under pressure from land uses incompatible with agriculture, such as housing. This can and has resulted in rural land use conflict and led to the permanent removal of land from production. For agriculture to continue to grow and diversify, it is essential that food and fibre production is supported by local strategic and statutory land use planning."*

and

> *"Land use conflict between agriculture and other land uses has been experienced some areas, mainly through unplanned encroachment of incompatible development and the differing expectations of some members of the community. Land use conflict creates an uncertain environment for investment in primary production and makes it difficult for farms to carry out their day-to-day business using what are lawful and typical industry practices. Sound strategic planning is the best way to ensure that land use conflict is minimised and that rural zoned lands continue to be used for the purposes of primary production, unhindered by incompatible land uses."*
>
> *"The NSW **Right to Farm Policy** is another major policy of relevance to agricultural land use planning and the preparation of an LSPS. It was developed by the government as a concept centred on the idea that primary producers should be able to undertake lawful activities in accordance with accepted industry standards without undue interference or nuisance complaints."*

Wells, A, 2018 states:

> *"**Buffer zone**: An area of land set aside to minimise the impacts of land uses on each other.*
>
> ***Separation distance**: The distance between the point of generation of an environmental impact and a receptor that is sensitive to that impact.*

A separation distance may be used to specify the width of a buffer zoner.

A buffer zone is also generally accepted as being the area where a landholder has legal control of the land needed to separate their development from adjoining land."

and

"The separation of land uses incompatible with agriculture and between different types of agriculture, can be an effective way to minimise land use conflict and enable the primary producers to better operate, with fewer constraints. It also plays a key role in farm biosecurity and in managing any impacts of agriculture on the environment."

and

"It is important that buffer zones built into the design of developments do not rely on any adjacent rural land for their development buffer zones. This is particularly relevant for non-agricultural developments such as new residential developments which have in the past, often relied on adjoining rural zoned land to form part of the development's buffer zone."

and

"Some intensive agriculture developments such as the poultry and pig production sectors have received significant community attention, often due to their proximity to non-agricultural land users. Increasingly, horticultural operations are also receiving this community scrutiny.

This is largely because residential development is expanding into areas that have long been used for primary production. Also, land that in the past was typically used for extensive agriculture such as cattle grazing, is now being used more intensively."

and

"To date, the most comprehensive publication containing buffer/separation distance recommendations is the Living and Working in Rural Areas Handbook."

Wells, A. 2018 includes a table of suggested separation distances between agriculture and sensitive receptors which includes for pig farms, poultry, dairy, feedlots and horticulture.

'Right to farm' is commonly interpreted to be the ability for farmers to undertake lawful agricultural practices without conflict or interference from neighbours and other land users complaining about these activities. Section 4 of the recently enacted *Right to Farm Act 2019 (NSW*) includes provisions to protect commercial activities from 'nuisance' complaints.

In 2020 *NSW Department of Primary Industries* released a *Right to Farm Policy Review* which states:

> *"This Review analyses recent consultation and sets out key findings and recommendations. The Review has found that the NSW Government has delivered or is delivering on each of the 15 actions in the Right to Farm Policy 2015. However, a range of reports and feedback from stakeholders indicate that (1) land use conflict is a significant and increasing issue for agriculture in NSW; and (2) land use planning issues extend beyond land use conflict.*
>
> *The Review has found four policy problems that warrant further consideration:*
>
> 1. *There is no definition, identification or development protections for State Significant Agricultural Land which is leading to this land being lost to non-agricultural uses;*
> 2. *There is no simple, accessible and impartial mechanism for farmers to resolve land use conflict regarding their operations;*
> 3. *The planning framework does not reflect the needs of agriculture; and*
> 4. *Local government plays a crucial role in regulating agricultural land use but can be risk averse and as a result can struggle to deliver broader NSW Government objectives to promote investment and jobs growth.*
>
> *The loss of agricultural land to non-agricultural uses pushes production further away from markets and critical infrastructure, and breaks up the rural landscape, reducing the production capacity of the land and making our food chains more vulnerable to shocks, such as the COVID-19 pandemic. Farmers can find themselves increasingly surrounded by residential land users who are sensitive to the noise and smells of farming which leads to conflict. The onus is often placed on farmers to respond to complaints about their operations and the lack of support in resolving complaints creates stress and anxiety for farmers. The complexity of the planning framework is overwhelming, costly and difficult to interpret. The inconsistency of how planning requirements are applied across councils can deter investment in new or expanding operations."*
>
> *"It should be acknowledged that there are differing interests within the agriculture industry relating to land use change. At different stages of a landowner's career they may rationally both oppose subdivision of rural land and then seek that subdivision later."*

and

> *"Land use conflict often arises in the agricultural context due to urban encroachment into farming areas. Intensive agriculture systems also increase the chance of noise, odour, spray drift and other outputs of farming practices interacting with surrounding land users. There is also a lack of awareness of acceptable farming practices, which can drive complaints."*

and

> *"During consultation the main types of land use conflict discussed by stakeholders were those arising from compliant agricultural activities, and those arising from red tape leading to delays in predevelopment approvals."*

And in relation to operation issues:

> *"Even when an operation is compliant, evidence indicates that the time and cost of responding to the complaint and obtaining expensive consultant reports to defend operations can be prohibitive and discourage good operating practices."*

And in relation to development issues:

> *"A consent authority either does not approve, requests unreasonable information or entertains unreasonable objections in relation to a development application for a new or expanded agricultural operation, in some cases for protracted periods of time."*

and

> *"Stakeholders expressed their frustration around councils' perceived priority on mitigating complaints, rather than ensuring the complaints were justified. Councils are required by the Environmental Planning and Assessment Act 1979 (**EP&A Act**) to consider all submissions made on a development application, irrespective of the location or experience of the individual relative to the development. During consultation stakeholders gave examples of neighbours and vexatious complainants lobbying against agricultural development to council, causing significant delays and anxiety for the operator."*

The Review sets out four issues that align with the four policy problems listed as Points 1 to 4 above are:

> *"*
> - *Issue 1: Long term availability of productive land;*
> - *Issue 2: Reducing land use conflict and supporting dispute resolution;*
> - *Issue 3: Making it easier to set up and conduct business;*
> - *Issue 4: Assisting local government to deliver broad state government objectives."*

The Review's key findings and recommendations are:

> *"*
> - *Land use conflict is increasing as both population and the food production sector grow;*
> - *SSAL should be identified and prioritised for agriculture where possible;*
> - *Better education around agricultural practices is needed for both new residents and local government land use planners;*
> - *Industry is seeking active policy from the NSW Government;*
> - *Councils are seeking more guidance from the NSW Government;*
> - *Farming is a long term business and operators need reasonable certainty about the regulation of land use;*
> - *There is little data available on the loss of agricultural land, incidence of land use conflict and economic opportunities forgone."*

Summary

Land use conflict, which commonly occurs between agricultural and residential uses, amongst others, is an increasing issue for agriculture in NSW and threatens the right to farm.

The NSW *Right To Farm Policy* enshrines the idea that "*primary producers should be able to undertake lawful activities in accordance with accepted industry standards without undue interference or nuisance complaints*" (NSW DPI 2019).

Underpinning the issue of land use conflict is the fact that good agricultural land is a finite resource which needs protecting; and that food and fibre production must be supported by strategic land use planning.

Land use conflict issues arise as a result of disputes over things like: air quality; visual amenity; noise; soil erosion; native vegetation clearance; access for livestock to waterways; harassment of livestock by straying domestic animals; trespassers; changes to water flow or water availability; biosecurity including pest animal and pest weed management issues; water rights; planning and zoning disagreements; and best practice farming debates.

Research shows that local government is risk averse and appears to prioritise mitigation of complaints over ensuring complaints against primary producers are justified. As a result, the burden of disputes often falls to farmers/operators to defend their practices.

Land use conflict can cause not only significant economic consequences but also severe non-financial impacts such as declining mental health, industry decline and erosion of trust.

The key steps to address land use conflict are:

- Value agriculture. Understand the foundational and pivotal role it plays in the LGA;
- Value the dynamic, changeable and essential role of primary production; and the needs of agriculture (proximity to markets and critical infrastructure; capacity for growth; capacity to absorb impacts such as climate change risks and food chain vulnerability to shocks such as covid pandemic);
- Accept, defend, educate and increase awareness of State-wide 'acceptable agricultural practices';
- Revise zoning/minimum lot sizes to halt urban encroachment and fragmentation;
- Identify and develop protections for *State Significant Agricultural Land* (SSAL) before more is permanently removed from production. (Unfortunately, there is little data on the incidence of land use conflict and the agricultural land already lost);
- Require fair, consistent outcomes-based buffer zones;
- Effectively resource compliance;
- Legislate a dispute resolution mechanism which is simple, accessible and impartial for farmers to resolve conflict regarding their operations – overseen by an independent arbiter with expertise in acceptable farm practices; and
- Manage the potential for land use conflict using the *Land Use Conflict Risk Assessment Guide*.

Conclusion

The NSW DPI *Right To Farm Policy Review, 2020*, states:

> *"Land use conflict is increasing as both population and the food production sector grow".*

To reduce conflict and prepare for the future we need to ensure long term availability of productive land. Identifying SSAL should be a priority for agriculture where possible. New residents and local government land use planners need better education around agricultural practices.

Farming is a long-term business and farmers need certainty about land use regulation. They need to know that they will be supported to set up and conduct a compliant primary production business; that their business will be valued, and dispute resolution will be fair and supported. To achieve this the agriculture industry is seeking "active policy" from the NSW government; while Local government is seeking NSW government guidance and support to deliver these stated state government objectives.

8.0 PERMITTED LAND USES

The *Tumbarumba LEP 2010* and *Tumut LEP 2012* differ in the land uses they permit with and without consent in the RU1 and RU4 zones. The land uses for both these rural zones and both LEPs are set out in Table 9 and Table 10 below.

Table 9: RU1 Land Uses

Permitted	Tumbarumba LEP 2010	Tumut LEP 2012
Without Consent	Environmental protection works	Environmental protection works
	Extensive agriculture	Extensive agriculture
		Forestry
	Home occupations	Home occupations
	Horticulture	
		Intensive plant agriculture
		Roads
	Waterbodies (artificial)	
With Consent	Aquaculture	Aquaculture
	Camping grounds	
	Caravan parks	
		Cellar door premises
	Dwelling houses	Dwelling houses
	Extractive industries	Extractive industries
	Farm buildings	Farm buildings
		Garden centres
	Intensive livestock agriculture	Intensive livestock agriculture
	Intensive plant agriculture	
		Markets
	Open cut mining	Open cut mining
	Roads	
		Plant nurseries
	Roadside stalls	Roadside stalls
		Rural workers' dwellings
		Secondary dwellings

Horticulture is defined in the *Tumbarumba LEP 2010* as a type of intensive plant agriculture. Intensive plant agriculture also includes irrigated commercial crops, viticulture and turf farming. Given the scale of for example, apple and wine grape production, cider and wine produced in the LGA's RU1 zone and the capacity for growth, cellar door premises and roadside stalls would complement the existing agricultural land use as would new agritourism land uses as set out in Annexure 3. Agriculture produce industries would also be an appropriate land use in the RU1 zone.

Table 10: RU4 Land Uses

Permitted	Tumbarumba LEP 2010	Tumut LEP 2012
Without Consent		Environmental protection works
	Extensive agriculture	Extensive agriculture
		Home based child care
	Home occupations	Home occupations
		Home businesses
		Intensive plant agriculture
		Roads
With Consent		Agriculture produce industries
	Aquaculture	Aquaculture
		Bed and breakfast accommodation
		Cellar door premises
	Dwelling houses	Dwelling houses
	Farm buildings	Farm buildings
		Farm stay accommodation
		Garden centres
	Home industries	Home industries
	Industries plant agriculture	
		Kiosks
		Markets
	Plant nurseries	Plant nurseries
		Restaurants or cafes
	Roads	
	Roadside stalls	Roadside stalls
		Secondary dwellings
		Waste or resource transfer stations

Farm stay accommodation is permitted in the RU4 zone in the Tumut region. Given the smaller RU4 minimum lot size (when compared to RU1) this zone tends to be more closely settled. Farm stay accommodation may be more appropriate in the RU1 zone only.

9.0 MINIMUM LOT SIZES

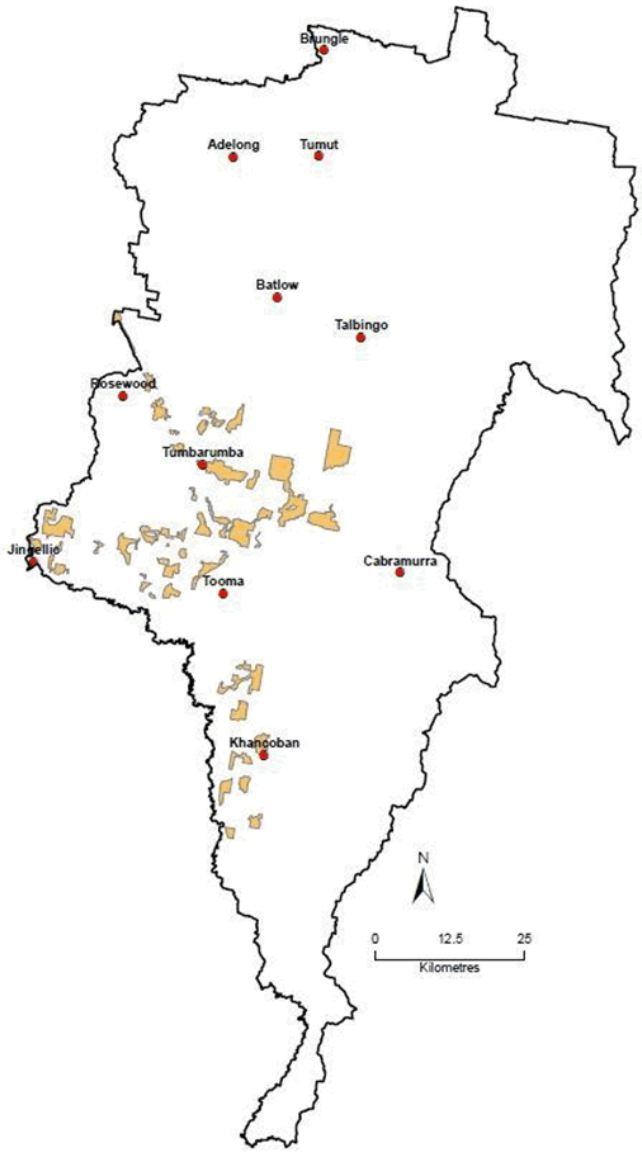
To examine the spatial distribution of landholder patterns in the Study Area, within zones and within the various minimum lot sizes in each zone, Council's cadastre GIS database was interpreted to create a series of landholdings maps. Attached as Annexure 4, Annexure 5 and Annexure 6 are a series of landholdings maps of the E3, RU4 and RU1 zones (respectively). Some observations of these maps are provided below.

The landholdings maps are presented in two different formats; by landholder and by parcel size. The landholder maps have each individual landholding represented in a different colour. The parcel size maps show the corresponding area held by each landholder in colour-coded parcel sizes that are a multiple of the minimum lot size. For example, for the RU1 6ha minimum lot size area, the parcel sizes are <6ha, 6ha to 12ha and >12ha where >12ha (more than double the minimum lot size) are the only areas able to be further sub-divided. The landholdings maps have been created using Council's GIS Cadastral records based on land ownership. The landholdings analysis is unable to discern where land owned by two different (but related) entities is operated by the same business. The analysis has been undertaken by minimum lot size and by zone and so does not capture land ownership that spans across different minimum lot size areas, zone or LGA boundaries, which commonly occurs. The assessment also does not recognise land that is leased or sharefarmed. Notwithstanding these limitations, the landholdings analysis provides a useful means of investigating land ownership patterns.

9.1 E3 Zone

The Study Area addressed in this report covers all land zoned RU1 Primary Production, RU4 Primary Production Small Lots and E3 Environmental Management. The land zoned E3 in the LGA is depicted in Figure 23.

Figure 23: E3 Zone



According to the *Tumbarumba LEP 2010* the objectives of the E3 zone are:

- *"To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values;*
- *To provide for a limited range of development that does not have an adverse effect on those values;*
- *To identify land of high conservation value and apply appropriate planning controls;*
- *To protect native vegetation and existing landforms for their scenic values and to maintain the unique visual identity of the landscape; and*
- *To recognise and protect conservation reserves and sub-regional linkages to maintain viable ecosystems."*

The total area of land zoned E3 in the LGA is just over 23,000ha which is about 2.5% of the LGA (refer to Table 1). The primary land use in the E3 zone is grazing of native pasture at 93% of the zone. Land use to a lesser extent includes nature conservation 3%, grazing improved pastures 2% and plantation forests 1%. There is no horticulture or other intensive land use in this zone. The land zoned E3 in the LGA has a single minimum lot size of 160ha. Under the *Tumbarumba LEP 2010* the only land use activity permitted without consent in the E3 zone is home occupation. A range of other activities including extensive agriculture, horticulture and dwelling houses are permitted with consent in the zone. The historical derivation of the E3 zone is unknown.

As shown in Figure 23 the E3 zone is spread in patches across a large area of the Tumbarumba region. The landholdings maps in Annexure 4 indicate there is no discernible pattern of landholdings within this zone. 43% of the E3 zone landholdings are larger than 320ha which is double the minimum lot size and has the potential to create up to 14 new lots with a dwelling entitlement.

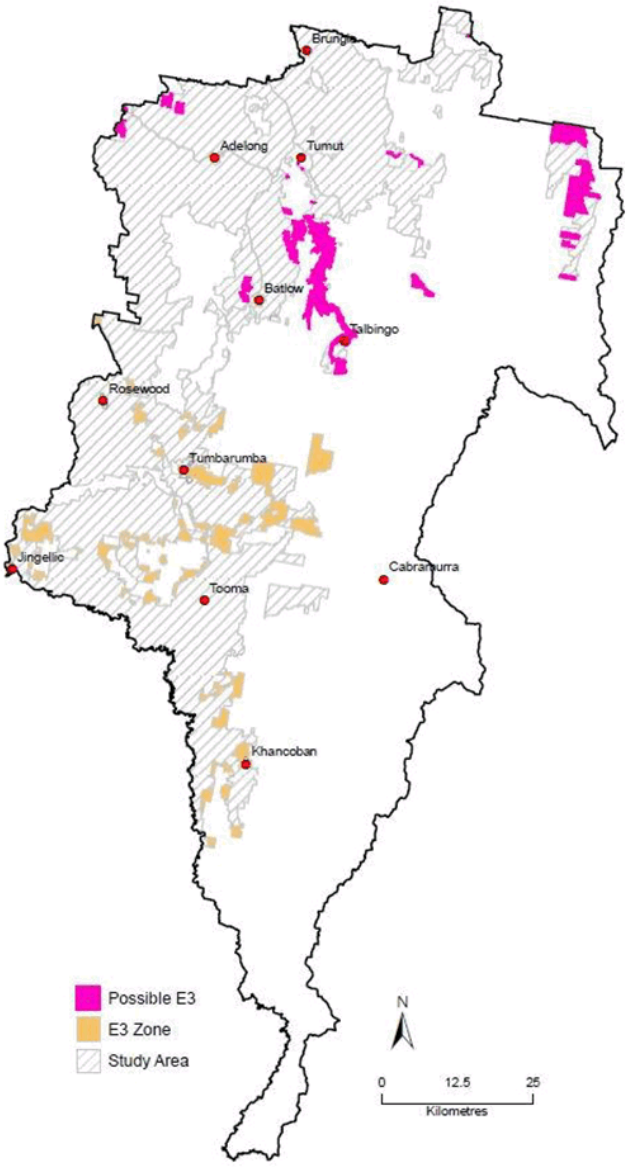
None of the E3 zone is Prime Agricultural Land as depicted in Figure 18. The land zoned E3 is located on land mostly identified as:

- Important biodiversity land shown in Figure 6;
- Bushfire prone land in Figure 12;
- Steep slopes/land slide risk in Figure 9 (to a lesser extent); and
- Land and soil capability Classes 6, 7 and 8 in Figure 16.

E3 land has considerable production constraints and high conservation value, and so retention of the 160ha minimum lot size would be appropriate to protect these natural assets.

Land in the Tumut region that has similar characteristics to land zoned E3 in the Tumbarumba region has been identified in Figure 24.

Figure 24: Possible E3 Zones

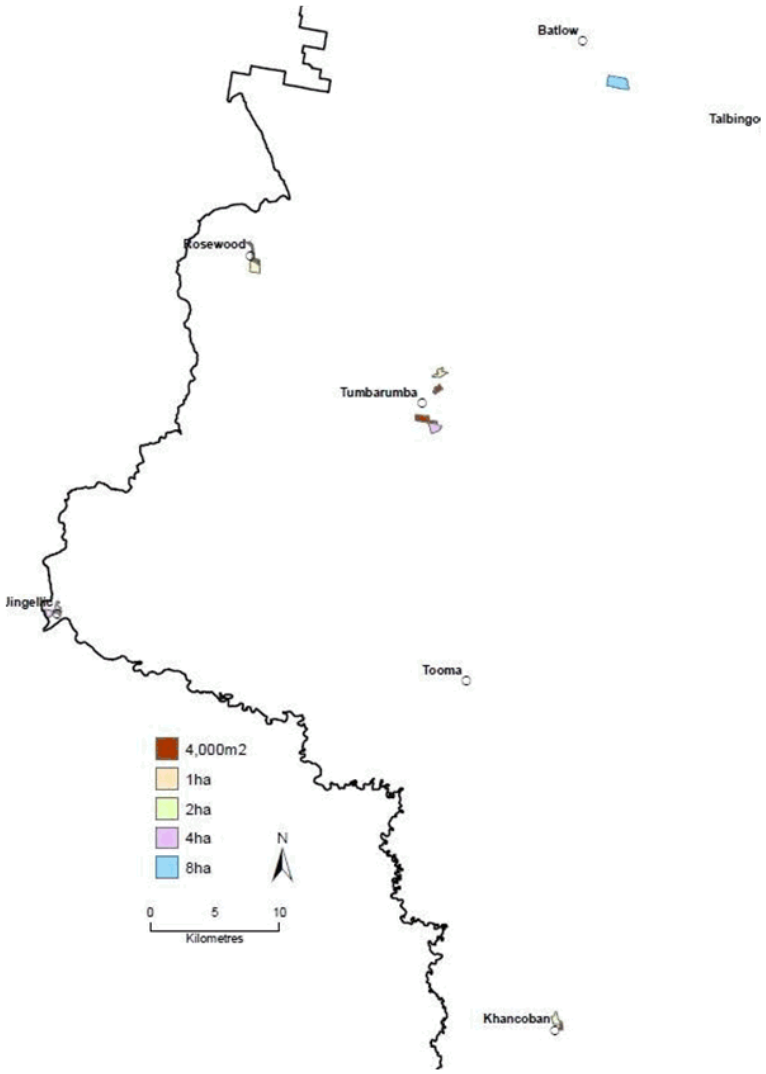


The area identified in Figure 24 has similar characteristics to land zoned E3 in Figure 23 and also includes Blowering Reservoir and Jounama Pondage.

9.2 RU4 Zone

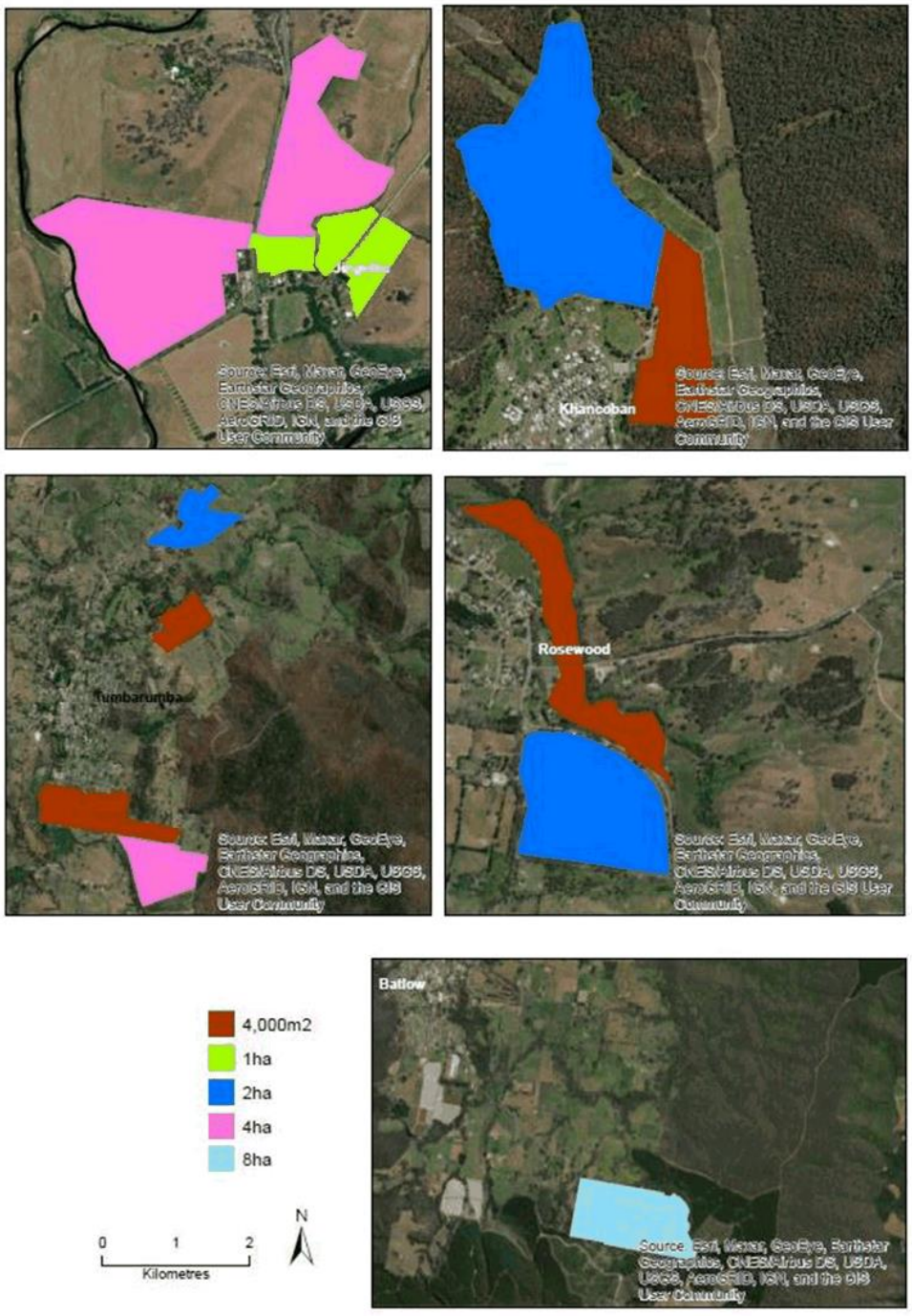
The RU4 Primary Production Small Lots zone covers 532ha in the LGA and is depicted in Figure 25. Land zoned RU4 in the LGA and the minimum lot sizes are depicted in Figure 25. RU4 land is located around Batlow and Tumbarumba and the villages of Rosewood, Jingellic and Khancoban.

Figure 25: RU4 Zone Minimum Lot Size



A close up of the RU4 zone at each town or village is provided as Figure 26.

Figure 26: RU4 Zone Minimum Lot Size



According to the *Tumbarumba LEP 2010* and *Tumut LEP 2012*, the objectives of the RU4 Primary Production Small Lot Zone include:

"▪ *To enable sustainable primary industry and other compatible land uses.*

▪ *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*

▪ *To minimise conflict between land uses within this zone and land uses with in adjoining zones."*

The *Tumut LEP 2012* also includes:

"▪ *To provide opportunities for intensive plant agriculture."*

According to the land use data in Figure 13 the key land uses in the RU4 zones are:

- Grazing pastures 63%;
- Residential and farm infrastructure 22%;
- Services and infrastructure 8%
- Waterways 4%;
- Cropping 2%; and
- Plantation forests 1%.

Aerial images of the RU4 zone for each town and village are included in Annexure 7. Some comments on these images are provided as follows:

- Batlow has land zoned RU4 south-east of the town with a minimum lot size of 8ha. There is no evidence of any intensive agricultural land use on land zoned RU4 at Batlow;
- Tumbarumba has four parcels of land zoned RU4 with minimum lot sizes of 4,000m², 2ha and 4ha (refer to Figure 25 and Figure 29). With the exception of a vineyard south of Tumbarumba of about 1.6ha, there is no evidence of any intensive agricultural land use on land zoned RU4 at Tumbarumba;
- Rosewood has land zoned RU4 on the east and to the south of the village with two minimum lot sizes of 4,000m² and 2ha. There is no evidence of any intensive agricultural land use on land zoned RU4 at Rosewood;

- Jingellic has land zoned RU4 with minimum lot sizes of 1ha and 4ha. There is no evidence of any intensive agricultural land use on land zoned RU4 at Jingellic; and
- Khancoban has land zoned RU4 with 4,000m^2 and 2ha minimum lot sizes. The 2ha minimum lot size area is the Khancoban Country Club (golf course) which is a non-agricultural land use. The area at Khancoban zoned RU4 with a 4,000m^2 minimum lot size is largely native vegetation which is unsuited for intensive agricultural production.

With the exception of a small area at Tumbarumba it appears that none of the land zoned RU4 in the LGA is being used for intensive agriculture and instead is being used for extensive agriculture and/or lifestyle blocks and other uses (golf course). Having regard for the existing land use, **the RU4 zoning in all five locations appears inappropriate**.

Observations of the RU4 zone landholdings maps in Annexure 5, based on the number of landholdings more than double the minimum lot size in each area, are:

- At Rosewood in both the 4,000m^2 and 2ha minimum lot size areas there is significant subdivision potential;
- At Batlow in the 8ha minimum lot size area there are only three landowners (across 128ha) meaning there is significant subdivision potential;
- At Tumbarumba in the minimum lot size area of 4,000m^2, 2ha and 4ha there is significant subdivision potential;
- At Jingellic in both the 1ha and 4ha minimum lot size areas all of the landholdings are more than double the minimum lot size indicating there is significant subdivision potential; and
- At Khancoban in both the 4,000m^2 and 2ha minimum lot size areas there is significant subdivision potential, although all of the 2ha minimum lot size area is held by the Country Club (golf course).

A summary of the RU4 landholdings by location and minimum lot size is provided in Table 11.

Table 11: RU4 Landholdings

Minimum Lot Size Ha	Location	Area Ha	Landholdings Number	Potential New Lots
0.4	Rosewood	28.8	15	57
2	Rosewood	55.2	10	18
8	Batlow	128.5	3	13
0.4	Tumbarumba	83.5	36	175
2	Tumbarumba	38.4	11	12
4	Tumbarumba	52.8	2	11
1	Jingellic	11.0	2	9
4	Jingellic	54.6	4	10
0.4	Khancoban	13.8	6	28

The data in Table 11 indicates that for all of the RU4 zone there is significant subdivision potential based on the current minimum lot sizes. The data in Table 11 excludes the 2ha minimum lot size at Khancoban which is the Country Club (golf course) because this area is unlikely to be either subdivided or used for agricultural production.

9.3 RU1

The minimum lot sizes for land zoned RU1 in the LGA is depicted in Figure 27.

Figure 27: RU1 Zone Minimum Lot Sizes

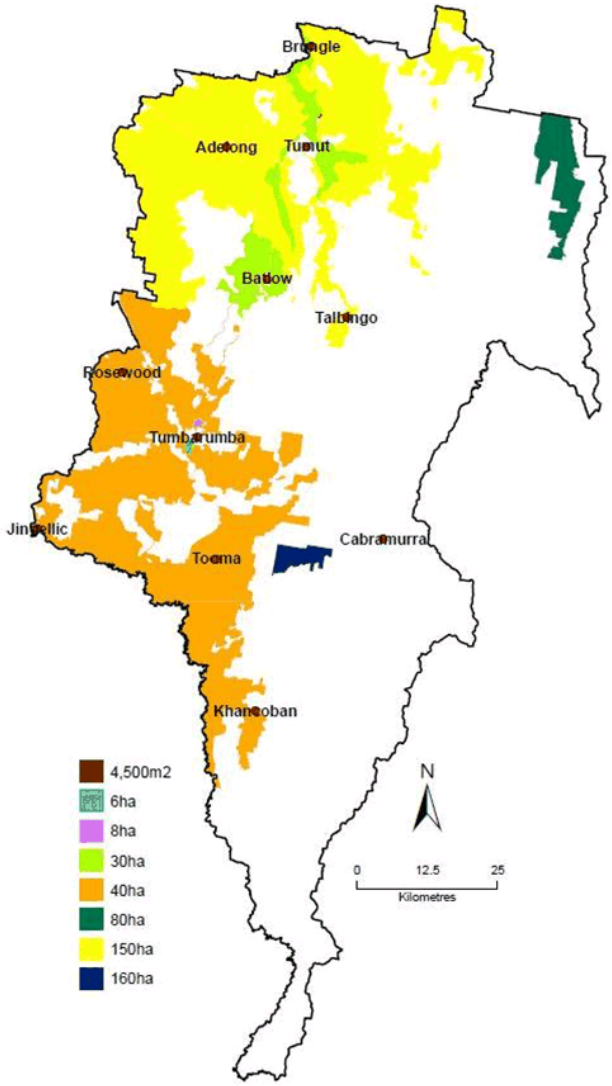


Figure 27 indicates there are eight minimum lot sizes across the LGA in the RU1 zone which is a significant number. This includes:

- A small area with a minimum lot size of 4,500m^2 which is the residential development located north-east of the Tumut airstrip known as Tumut River Orchard Estate;
- Small areas of 6ha and 8ha minimum lot sizes near Tumbarumba (refer to Figure 29 below);
- Horticultural land around Batlow and the higher quality alluvial plains around Tumut both with a minimum lot size of 30ha;
- The Brindabella Valley located on the north east side of the LGA with a minimum lot size of 80ha which is an area impacted by steep slopes (refer to Figure 9);
- An area with a minimum lot size of 160ha due east of Tooma;
- The balance of the Tumbarumba region has a minimum lot size of 40ha; and
- The balance of the Tumut region has a minimum lot size of 150ha.

The area occupied by each minimum lot size in the RU1 zone is set out in Table 12.

Table 12: RU1 Minimum lot Sizes

Minimum Lot Size	Area Unit	Total Ha	Proportion
4,500	m^2	17.5	0%
6	Ha	222.3	0%
8	Ha	145.8	0%
30	Ha	19,677.7	6%
40	Ha	131,721.8	43%
80	Ha	11,770.7	4%
150	Ha	137,656.4	45%
160	Ha	3,496.7	1%
Total		**304,708.9**	

The data in Table 12 indicates most of the RU1 zone (88%) has a minimum lot size of 40ha or 150ha.

Included as Annexure 8 are a series of three maps of the RU1 zone minimum lot sizes depicted against Land and Soil Capability Classes as follows (refer to Figure 16):

- Classes 3 and 4 being the more capable land (less constrained);
- Classes 5 and 6 being the land best suited to grazing (only); and
- Classes 7 and 8 having severe limitations for agriculture.

The data in Annexure 8 indicates there is no correlation between land capability and minimum lot size in the RU1 zone. With reference to Figure 5, Figure 6, Figure 9 and Figure 12 there is also no correlation between minimum lot size and vegetation, biodiversity, steep slopes/landslide risk and bushfire risk in the RU1 Zone.

Clause 4.2A in the *Tumbarumba LEP 2010* and Clause 4.2B in the *Tumut LEP 2012* permit a minimum lot size of 20ha and 15ha respectively for horticultural development on certain land marked in the LEPs as horticulture. Given the similar patterns of land use, land capabilities and constraints across the LGA if the horticulture clause is retained, there appears to be no material reason to maintain a range of minimum lot sizes across the RU1 zone.

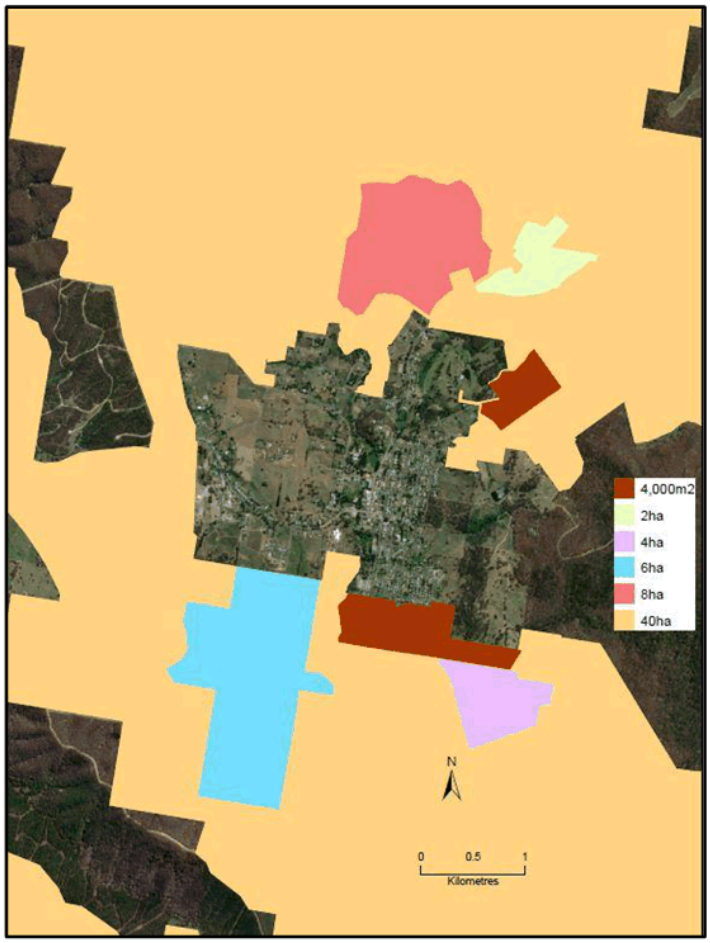
The area with a minimum lot size of 4,500m² north of the Tumut airport, known as Tumut River Orchard Estate (refer to Figure 28), is a fully developed large lot residential development zoned as RU1 but with no land being used for productive agriculture. An R5 zoning for this area would be more appropriate.

Figure 28: 4,500m² Minimum Lot Size

The area with a minimum lot size of 6ha south of Tumbarumba (refer to Figure 29) zoned RU1 shows no evidence of intensive agricultural land use and appears to be being used for lifestyle blocks. A zoning of R5 or RU4 would be more appropriate here.

The area with a minimum lot size of 8ha north of Tumbarumba (refer to Figure 29) zoned RU1 shows less development than the 6ha minimum lot size south of Tumbarumba and appears to be more productive land with a portion being used for intensive production (viticulture). An RU4 zoning for this area may be more appropriate.

Figure 29: Tumbarumba Minimum Lot Sizes



Observations of the landholding maps for the RU1 zone in Annexure 6 include:

- In the 4,500m² minimum lot size area at Tumut River Orchard Estate, each lot is held by a different owner which indicates this area is fully developed and there is no further subdivision potential;
- In the 6ha and 8ha minimum lot size areas at Tumbarumba the majority of the land is held in holdings larger than double the minimum lot size (of 12ha and 16ha respectively), meaning there is significant sub-division potential in these areas. There is no discernible pattern of land ownership in either area;
- In the 30ha minimum lot size area there is no discernible pattern of landholdings across the area;
- In the 40ha minimum lot size area large holdings are spread throughout the area and there is no discernible pattern of landholdings;
- The 80ha minimum lot size area shows the northern portion is held in larger landholdings and smaller landholdings are more common in the south of this area;
- In the 150ha minimum lot size area, a similar pattern of diverse landholding sizes exists across the area as was observed in the 40ha minimum lot size maps; and
- In the 160ha minimum lot size area there are only four landholders with the majority of the area owned by one landholder.

Also included in Annexure 6 are two landholding maps for the entire RU1 zone showing landholdings and parcel size. The two maps for the entire zone show a concentration of smaller holdings in close proximity to the towns and villages, particularly close to Tumut, Tumbarumba and Batlow. Of these three towns, Batlow is the only town with a significant concentration of horticulture nearby. Aside from this observation, the two landholding maps for the entire RU1 zone (in Annexure 6) further affirm the observation that there is no discernible pattern of landholding across the RU1 zone which could be related to land use, climate or the land's underlying biophysical characteristics.

A summary of the RU1 zone landholdings by minimum lot size is provided in Table 13 below. Note this data excludes roads and crown land and comprises 93% of the zone and so does not align with the data in Table 12.

Table 13: RU1 Landholdings

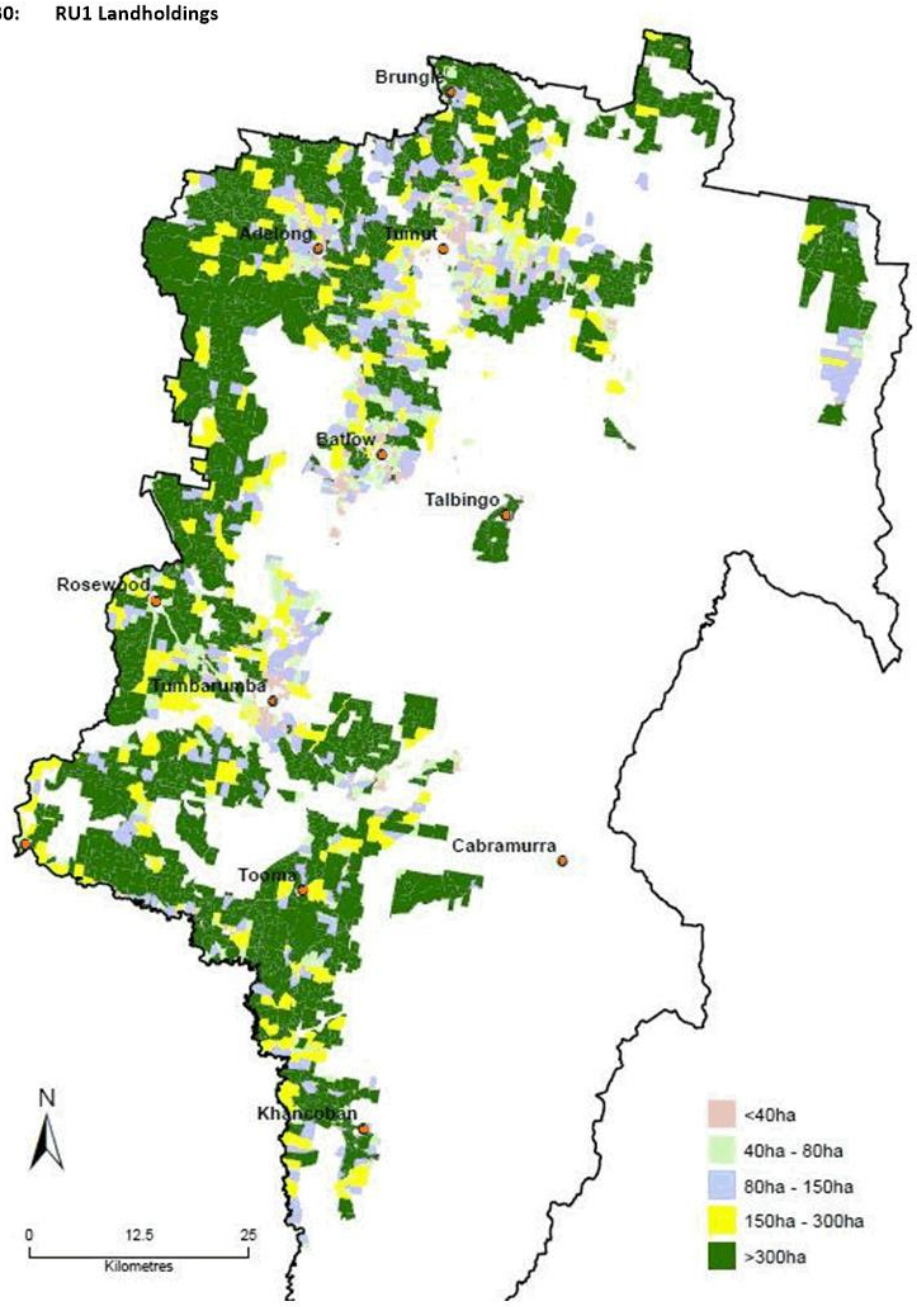
Minimum Lot Size (MLS)	Area Ha	Proportion of Zone	Landholdings Number	Landholdings Average Size Ha	Area of landholdings more than double MLS		Subdivision Potential
					Ha	Proportion of total area	Number of Lots
4,500m²	17.5	0%	32	0.5	Nil		Nil
6ha	213	0%	23	9.3	126	59%	14
8ha	139	0%	16	8.7	88	63%	7
30ha	18,142	6%	611	29.7	10,174	56%	257
40ha	125,425	44%	892	140.6	113,865	91%	2,545
80ha	11,322	4%	48	235.9	8,797	78%	98
150ha	123,992	44%	992	125.0	82,474	67%	421
160ha	3,414	1%	7	487.8	3,333	98%	18
Total/Average	**282,665**		**2,621**	**107.8**			**3,360**

The data in Table 13 indicates:

- The minimum lot size area of 4,500m^2 (Tumut River Orchard Estate) is fully subdivided;
- About 60% of the area of 6ha and 8ha minimum lot sizes at Tumbarumba is held in lots that are more than double the current minimum lot size. This means there is significant subdivision potential with up to 14 new lots possible in the 6ha minimum lot size area and up to 7 new lots possible in the 8ha minimum lot size area;
- Just over half the 30ha minimum lot size areas area has the potential to be subdivided which could create up to 257 new lots in this area. This area covers 6% of the RU1 zone;
- The 80ha and 160ha minimum lot size areas together cover 5% of the RU1 zone and have significant subdivision potential; and
- The 40ha and 150ha minimum lot size areas together comprise 88% of the RU1 zone. Respectively 91% and 67% of these areas have the potential to be subdivided based on the current minimum lot size. The 40ha minimum lot size area has the potential to create up to 2,545 new lots. The 150ha minimum lot size has the potential to create up to 421 new lots.

Based on the demand for rural new houses on rural land and the importance of agriculture to the LGA, the potential for 3,360 new lots (with a dwelling entitlement) in the RU1 zone seems excessive. To further examine this conclusion a parcel size landholdings map for the entire RU1 zone is provided as Figure 30.

Figure 30: RU1 Landholdings



The data depicted in Figure 30 indicates the majority of smaller landholdings are located in close proximity to the towns and villages. The area depicted as green (which is landholdings greater than 300ha) in Figure 30 could be subdivided if the minimum lot size for the entire RU1 zone was 150ha. A summary of the data depicted in Figure 30 is provided in Table 14 below.

Table 14: RU1 Landholdings

Landholding Size Ha	Area Ha	Proportion of Area	Number	Proportion of Number	Average Ha
<40	12,306	4%	1,283	56%	9.6
40 – 80	17,388	6%	315	14%	55
80 – 150	29,574	10%	265	11%	112
150 – 300	42,082	15%	196	8%	215
>300	181,470	64%	248	11%	732
Total/Average	**282,820**		**2,307**		**123**

The data in Table 14 indicates:

- 56% of all landholdings in the RU1 zone are less than 40ha with an average size of 9.6ha and covering 4% of the zone;
- 25% of all landholdings in the RU1 zone are 40ha to 150ha in size and cover 16% of the zone;
- Nearly two-thirds of the RU1 zone is held in landholdings greater than 300ha and would be capable of being subdivided if the minimum lot size was 150ha. This land is held by 11% of all landholders; and
- 79% of the zone is held by 19% of all landowners, in landholdings larger than 150ha. This indicates the commercial scale for livestock farms is likely to be larger than 150ha.

On the basis of the information set out above, for the RU1 zone minimum lot sizes, it may be appropriate to:

- Merge the 30ha and 40ha minimum lot size areas into a minimum lot size of 40ha;
- Merge the 80ha, 150ha and 160ha minimum lot size areas into a minimum lot size of 150ha;
- Alternatively (and preferably) adopt a 150ha minimum lot size for all areas with a current minimum lot size of 30ha, 40ha, 80ha, 150ha and 160ha;
- Retain the horticulture clause of say 20ha;
- Rezone the 8ha minimum lot size area to RU4; and
- Rezone the 6ha and 4,500m^2 minimum lot size areas to R5.

The evidence set out above supports a single minimum lot size of 150ha for the RU1 zone in conjunction with a horticulture clause of 20ha.

Any existing dwelling entitlement rights on land smaller than the minimum lot size in the RU1 zone should be phased out over a five year period.

10.0 RURAL LIVING AT TUMUT

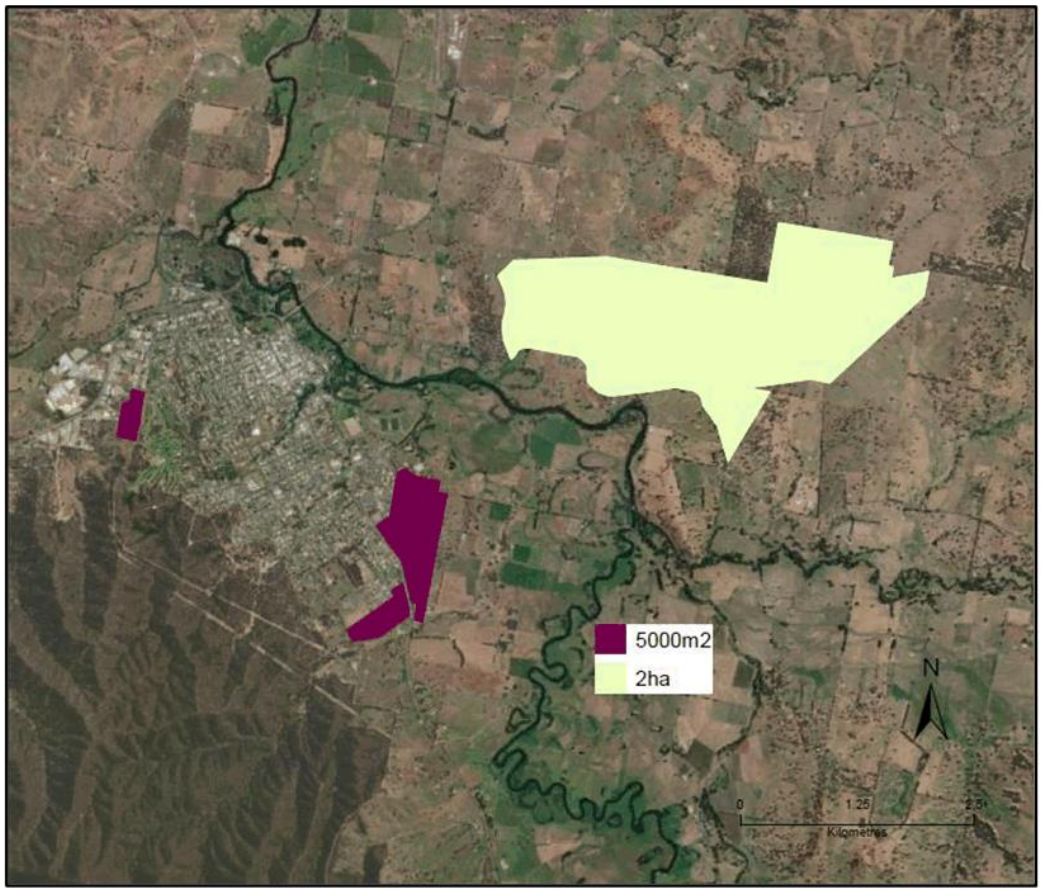
The project brief included a requirement to:

> *"Identify and map additional land suitable for rural living opportunities in the vicinity of Tumut. Any constraints within the land identified as being suitable for rural living be nominated and mapped."*

No assessment has been undertaken of the current demand for rural living lots, notwithstanding the growth the region has recently seen driven by the COVID-19 relocation to rural and regional areas, by Snowy Hydro 2.0, by bushfire recovery investment and by growth in forestry industry processing.

There are three areas zoned R5 Large Lot Residential at Tumut. These are depicted in Figure 31 along with the zones' two minimum lot sizes.

Figure 31: Tumut R5 Zone



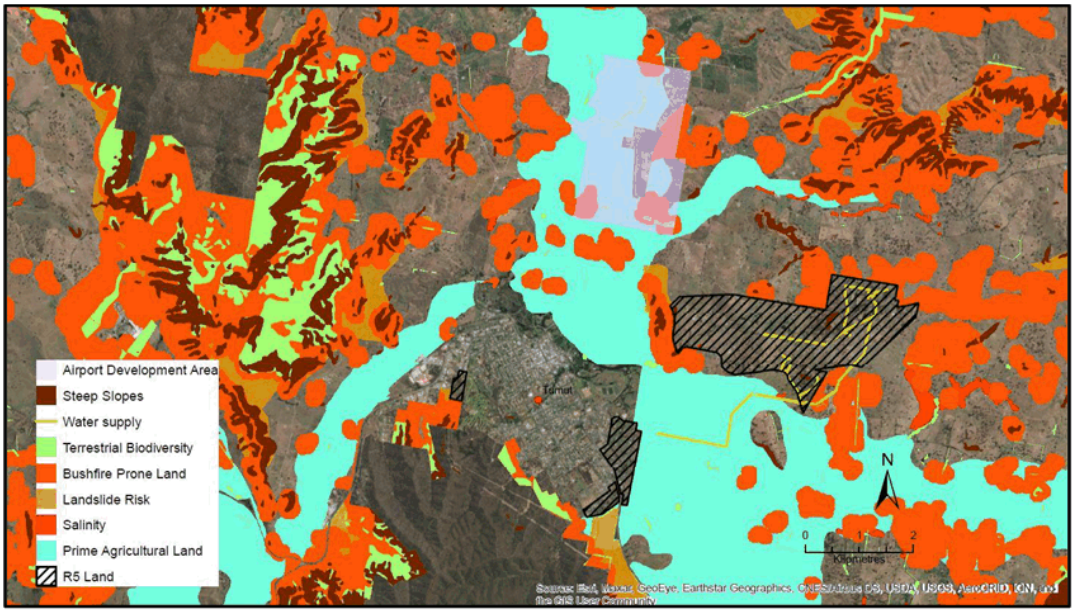
The R5 Zone at Tumut comprises' two adjoining parcels on the eastern side of Tumut, and one parcel on the western side of Tumut with a minimum lot size of 5,000m² with a total area of 92.5ha and a larger parcel east of Tumut (at Lacmalac) with a total area of 573.1ha and a minimum lot size of 2ha. Analysis of the three areas with a minimum lot size of 5,000m² indicates there are 99 lots compared to a potential of 160 lots in total. These areas are located on the edges of Tumut so a residential zoning for some or all of this area may be more appropriate. Analysis of the Lacmalac R5 area indicates there are 121 lots and with a minimum lot size of 2ha the potential is 274 lots in total.

Included as Annexure 9 are a series of landholdings maps for the R5 zone at Tumut. The landholding maps indicate the majority of these areas are held in parcel sizes more than double the minimum lot size meaning there is significant subdivision potential. The map of 2ha minimum lot size area at Lacmalac shows significant subdivision has occurred on the southern and eastern sides with significant subdivision potential remaining in the centre and on the western side of this area.

The subdivision potential of the Lacmalac R5 zone (set out above) does not consider the willingness (or desire) of the landholders to subdivide. A Council survey of two real estate agents in Tumut indicates that at present there is greater demand for rural lifestyle properties that the market is catering for. It is not clear if market pressure will eventually satisfy this demand.

To examine opportunities for further rural living land in the vicinity of Tumut, a constraints map was prepared which is provided as Figure 32. The existing R5 zoned areas in Figure 32 are cross-hatched.

Figure 32: Tumut Rural Living Constraints



The constraints depicted in Figure 32 include:

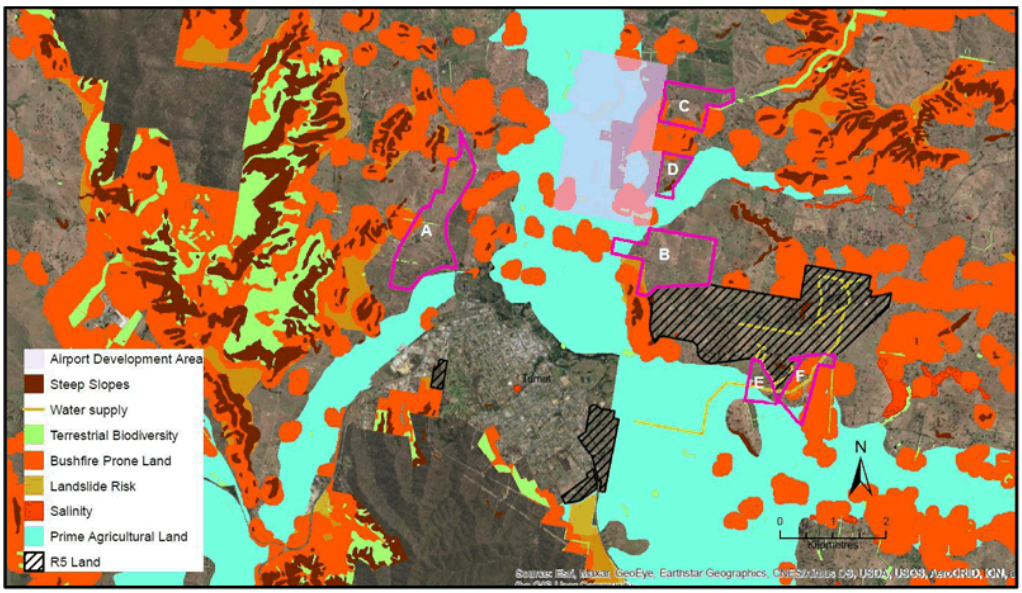
- Airport development area;
- Prime agricultural land (refer to Figure 18);
- Terrestrial biodiversity (refer to Figure 6);
- Salinity;
- Steep slopes and landslide risk (refer to Figure 9); and
- Bushfire prone land (refer to Figure 12).

Also included in Figure 32 is the Tumut Council's potable water supply mainline to the Lacmalac area.

Constraints not included in Figure 32 are groundwater vulnerability and flooding. A map showing groundwater vulnerability for the area depicted in Figure 32 is provided in Annexure 10. This map shows the majority of the area depicted in Figure 32 is mapped as having groundwater vulnerability. The constraints in Figure 32 do not include Flood Prone Land as detailed flood mapping data was not available at the time of preparing this report. A map showing Prime Agricultural Land and contours is included in Annexure 10. This map shows the correlation between Prime Agricultural Land (being alluvial floodplains) and the lowest contours which are the floodplain. Hence the inclusion of Prime Agricultural Land in Figure 32 effectively addresses flood prone land as a constraint.

The data depicted in Figure 32 indicates six areas potentially suitable for future rural living opportunities at Tumut which are depicted as 'A' to 'F' in Figure 33. These areas are referred to as Investigation Areas.

Figure 33: Rural Living Opportunities



The Investigation Areas depicted in Figure 33 are:

- The area north-west of Tumut marked as 'A' which is 166ha;
- The area north to north-west of the Lacmalac R5 area marked as 'B' which is 151ha;
- The area east of the Tumut airstrip and north of the Tumut River Orchard Estate marked as 'C' which is 78ha;
- The area east of the Tumut airstrip marked as 'D' which is 33ha; and
- The areas south of the Lacmalac R5 area marked as 'E' and 'F' which are 32ha and 58ha respectively.

The *2008 Tumut Shire Rural Land Use Strategy* identified parts of Investigation Area A (in Figure 33), called 'Gocup Knox's Hill (West)' and 'Gocup Knox's Hill (East); as being areas nominated for future urban expansion, and parts of Investigation Areas C and D (refer to Figure 33) as 'Airport Investigation Area' No 1 and 2.

The 2008 report ruled out the Gocup Knox's Hill area for future urban expansion due to constraints of a Crown Road, native vegetation, topography (steep slopes) and servicing costs including telecommunications and electricity. Since 2008 the growth of the mobile phone network and improvements in domestic solar systems has created options for houses to be off-grid therefore no longer requiring fixed line telecommunications or electrical grid connection.

With respect to access to sewer and water the 2008 *Tumut Shire Rural Land Use Strategy* stated:

> *"Initial investigations with Council have revealed that the provision of both sewer and water to these investigation areas (south east Tumut and the two Adelong areas) are plausible."*

Large lot residential blocks have sufficient land available for on-site septic systems, meaning connection to sewer is not required. Development on steep slopes can be avoided on Large Lot Residential land with sufficient area of suitable (not steep) slope usually available for house site location.

The 2008 *Tumut Shire Rural Land Use Strategy* noted a large portion of the Airport Investigation Area was constrained by:

> *"topography, orientation and vegetation cover."*

The only road access to Investigation Area A is from the bush Gocup Road. Internal access roads would be required to provide access to new lots if this area was to be rezoned for rural living.

Investigation Area B in Figure 33 is north to north-west of the existing Lacmalac R5 area. This area has mild constraints of topography which do not constrain its suitability for Large Lot Residential zoning and is close to Council's potable water supply mains.

Investigation Area C is an extension of the Tumut River Orchard Estate with access possible from the Wee Jasper Road and Brungle Road. The land to the north was previously used for horticulture. This area is outside the Airport Development Area.

Investigation Area D is constrained by road access from the Wee Jasper Road, access to this area may be possible from Twomeys Lane.

Investigation Area E adjoins the existing Lacmalac R5 area, is traversed by Council's potable water supply mainline and has no material constraints aside from potential flood risk on the western side.

Investigation Area F is constrained by access and bushfire prone land.

Investigation Areas B and E are the most appropriate areas for additional rural living land at Tumut (if required) with good road access and potable water access, no known environmental constraints and they are extensions of the existing Lacmalac R5 area. A minimum lot size of 2ha would result in up to 86 potential lots in these two areas. Investigation Area C would be the next best option after Investigation Areas B and E. This land is also unconstrained and has good access, but is adjacent to land previously used for horticulture; should this horticultural land use occur again at this location there is potential for conflict with adjacent rural living land.

11.0 REFERENCES

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Annexure 1

Agency Consultation Responses

Michael Ryan - Riverina Agriconsultants

From: Haydon Murdoch <Haydon.Murdoch@planning.nsw.gov.au>
Sent: Monday, 24 May 2021 1:06 PM
To: Michael Ryan - Riverina Agriconsultants
Cc: Paul Amoateng
Subject: RE: Snowy Valleys Council RLS
Attachments: DPIE Planning Resource_ Agribusiness and Value-Added Manufacturing May 2021.docx; DPIE Planning Resource_ Temporary Worker Accommodation May 2021.docx; DPIE Planning Resource_ Tourism May 2021 (002).docx

Hi Michael,

Apologies for the delay, we were waiting for a number of resource packages to be presented to the R&M DCMC before sharing them. I've attached them for your reference.

We have a the following dot points in which you should build into the Rural Land Use Strategy. These are not formal, but they are the things we look at when assessing rural land use strategies and the identification of rural residential opportunities;

- Department's Housing Strategy Guidelines. Also, the Department's old guidelines from 2001 for preparing rural residential development strategies might be of use.
- Local Profile and demand and supply analysis (for rural residential land)
- Constraints mapping (for consideration of rural residential expansion)
- Existing agricultural productivity of the land
- Management of impact on adjoining existing agricultural pursuits
- Provision of infrastructure (roads, water and sewer)
- Consider existing rural res principles in R&M Regional Plan (maybe even South East and Tablelands)
- Riverina and Murray Regional Plan have a number of directions which speak to the need to support agriculture.
- Future urban growth opportunities (rural residential should not limit the urban expansion of the existing town)
- Strategic consideration of biodiversity

We would be happy to assist Council to develop a criteria in identifying rural residential opportunities. I suggest that this could be done with EES and DPIE Ag.
In addition

Happy to discuss.

Thanks

Haydon Murdoch
Manager, Local and Regional Planning
Department of Planning, Industry and Environment
T 02 6229 7914 M 0417532933 E haydon.murdoch@planning.nsw.gov.au

Planning, Industry & Environment

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our

work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Michael Ryan - Riverina Agriconsultants <M.Ryan@rivagri.com.au>
Sent: Friday, 7 May 2021 3:56 PM
To: Haydon Murdoch <Haydon.Murdoch@planning.nsw.gov.au>
Subject: Snowy Valleys Council RLS

Hi Haydon,

As discussed see attached brief for the Rural Lands Study.
Please have a look at the tasks on page 7.

Any formal feedback you can provide to assist would be appreciated, let's discuss next week sometime when convenient.
I have downloaded the Agritourism EIE which will be a good start.

I am working towards a draft report at the end of this month.

Regards,
Michael Ryan

Michael Ryan | **Principal Consultant**
RIVERINA AGRICONSULTANTS
02 6964 9911
Level 1, 84 Yambil Street, Griffith NSW 2680
www.rivagri.com.au

Planning, Industry & Environment

Our ref: DOC21/308413
Senders ref: Snowy Valleys Council Rural Lands Study

Michael Ryan
Principal Consultant
Riverina Agriconsultants
Level 1, 84 Yambil Street
GRIFFITH NSW 2680

Via email: m.ryan@rivagri.com.au

9 June 2021

Dear Mr Ryan

Subject: Snowy Valleys Council Rural Lands Study

Thank you for your enquiry of 21 April 2021 regarding the commission to prepare a Rural Lands Study for Snowy Valley Council and our subsequent discussion on 5 May 2021. We note the brief to undertake the study provided by you on 21 April 2021.

The Biodiversity and Conservation Division of the Department of Planning, Industry and Environment (the Department) currently has statutory responsibilities relating to biodiversity (including threatened species, populations, ecological communities, or their habitats), and flooding.

In order to inform opportunities for additional land for rural living, and to promote a consistent approach to rural zoning and lot sizes across the Snowy Valleys Local Government Area (LGA), we recommend that the study include the following:

- Section 60H of the *Local Land Services Act 2013* (LLS Act) defines category 1 land as land where biodiversity impacts are taken not to be significant when determining whether a proposal exceeds the Biodiversity Offset Scheme Entry Thresholds (BOSET) established by Part 6 of the *Biodiversity Conservation Act 2016* (BC Act), or when applying the Biodiversity Assessment Method (BAM). We recommend mapping land that meets the definition of category 1 land because it is not constrained by biodiversity.

- Council has a duty to regulate native vegetation for all development permitted with consent, regardless of zone. We recommend Council standardise the permissibility of certain developments across the LGA to ensure Council can regulate clearing in a consistent manner. For example, Intensive Plant Agriculture on RU1 is permitted with consent in Tumbarumba but without consent in Tumut.

- Council has a duty to regulate the clearing of native vegetation ancillary to development permitted without consent on land regulated by the *State Environmental Planning Policy (Vegetation in*

non-Rural Areas) 2017 (Vegetation SEPP) in the Snowy Valley Council LGA. On that land, Council should seek to standardise the powers established by the local Development Control Plan (DCP) to regulate clearing. In the Snowy Valleys Council LGA the Vegetation SEPP applies to all land other than land zoned RU1, RU3 and RU4.

To assist with mapping important biodiversity lands, we will provide you with a list of composite data sets available from the SEED portal and other sources soon.

- Council consider how to balance development and the protection of threatened species habitats by zoning land E2, E3 and E4, and that such principles are applied uniformly across the LGA.

  We note the specific purposes of the Native Vegetation Regulatory Map and the Biodiversity Values Map; namely that they establish different regulatory controls on clearing.

- Council enhance floodplain risk management studies and plans for the urban centres in the Snowy Valleys LGA especially where there is demand for rural-residential living. We note that no such plans are in place for Batlow, Brungle, Jingellic, Khancoban, Rosewood, Talbingo, Tooma, Tumbarumba or Tumut.

  We reiterate our previous response to Council's draft Local Strategic Planning Statement dated 19 May 2020 including strategies and resources to protect biodiversity and manage flood risk.

If you have any questions about this advice, please contact Marcus Wright, Senior Conservation Planning Officer via rog.southwest@environment.nsw.gov.au or 6983 4917.

Yours sincerely

Andrew Fisher
Senior Team Leader Planning
South West Branch
Biodiversity and Conservation Division
Department of Planning, Industry and Environment

Michael Ryan - Riverina Agriconsultants

From: Sally Anderson <Sally.Anderson@planning.nsw.gov.au>
Sent: Wednesday, 12 May 2021 3:52 PM
To: Michael Ryan - Riverina Agriconsultants
Subject: RE: Snowy Valleys Council - Rural Lands Strategy - DPIE initial review

Hi Michael,

Thank you for the opportunity to review the Snowy Valleys Council Rural Lands Strategy – Project brief.

Our feedback around the tasks is only minor, given that the strategy is primarily looking analyse lot sizes in RU1, RU4 and E3 zones in the LGA with a view to move towards a consistent approach.
If this was to extend to considering amending the zoning rural lands, there may be more scope to apply broader reliance considerations.

In relation to Task 4:

- We would suggest that you could include flooding and bushfire layers to the mapping required. This will cover off key shocks (natural hazards) that may be experienced.

We wish you well in undertaking the strategy

Kind regards,

Sally

Sally Anderson
Senior Policy Officer

Resilience Planning | Green and Resilient Places
Place, Design and Public Spaces | Department of Planning, Industry and Environment
T 02 9274 6290 | **E** sally.anderson@planning.nsw.gov.au
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NSW GOVERNMENT | Planning, Industry & Environment

Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Michael Ryan - Riverina Agriconsultants <M.Ryan@rivagri.com.au>
Sent: Wednesday, 28 April 2021 10:37 AM
To: Sally Anderson <Sally.Anderson@planning.nsw.gov.au>
Subject: RE: Snowy Valleys Council - Rural Lands Strategy - DPIE initial review

Hi Sally,

Thanks for your email.
Attached is the project brief, please note the tasks on page 7.
Any feedback would be appreciated.

I have also been trying to contact;
Haydon Murdoch
Manager, Local and Regional Planning
Department of Planning, Industry and Environment
Level 4, 76 Morgan Street | Wagga Wagga NSW 2650
T 02 6229 7914 M 0417532933 E haydon.murdoch@planning.nsw.gov.au

But are yet to hear back from him, perhaps he is on leave?

Regards,
Michael

From: Sally Anderson <Sally.Anderson@planning.nsw.gov.au>
Sent: Tuesday, 27 April 2021 4:41 PM
To: Michael Ryan - Riverina Agriconsultants <M.Ryan@rivagri.com.au>
Subject: Snowy Valleys Council - Rural Lands Strategy - DPIE initial review

Afternoon Michael,

Great to speak to you regarding the Rural Lands Strategy that you are commencing for the Snowy Valleys Council.

As discussed, we would be happy for you to share the project scope and any other relevant documents with the Resilience Planning team for an initial review.
In the case that the work is also relevant for other teams with DPIE I can provide that feedback as well. Was wondering of you have made contact with the DPIE Western region office with regard to the project?

Look forward to receiving some additional information from you soon.

Cheers
Sally

Sally Anderson
Senior Policy Officer

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www.dpie.nsw.gov.au

Michael Ryan - Riverina Agriconsultants

From: Lilian Parker <lilian.parker@dpi.nsw.gov.au>
Sent: Wednesday, 26 May 2021 1:05 PM
To: Michael Ryan - Riverina Agriconsultants
Subject: Re: Snowy Valleys Rural Lands Study
Attachments: Draft Planning for Agriculture in Rural Land Use Strategies (v LP May 2021).pdf; updated livestock for Eastern Riverina.pdf

Hi Michael

Please find attached DPI's DRAFT outline for undertaking rural land strategies, as well as updated livestock figures for the Eastern Riverina snapshot.

As discussed, this document is quite detailed and could be scaled to the capacity of each LGA. The focus is on recognising the value of agriculture and agricultural lands and ensuring LGA strategic planning includes appropriate mechanisms for managing rural lands for ongoing agriculture. Any feedback on improvements, gaps etc would be welcome.

I will follow up on those other issues you raised.

Lilian

Lilian Parker
Agricultural Land Use Planning
NSW Department of Primary Industries | Agriculture
Wagga Wagga Agricultural Institute | Wagga Wagga | NSW 2650
M: 0427 812 508 | E: lilian.parker@dpi.nsw.gov.au

From: Michael Ryan - Riverina Agriconsultants <M.Ryan@rivagri.com.au>
Sent: Wednesday, 21 April 2021 1:08 PM
To: Lilian Parker <lilian.parker@dpi.nsw.gov.au>
Subject: Snowy Valleys Rural Lands Study

Hi Lilian,

Thanks for responding to my phone message yesterday.
I have been engaged by Snowy Valleys Council to undertake a Rural Lands Study.
A copy of the brief is attached, I refer you to the tasks on page 7.
I am open to consultation methods ranging from a phone call to a planning focus style meeting in the LGA and interested in your thoughts.
I am out of the office tomorrow and Friday, can we speak next week?

Regards,
Michael Ryan

Michael Ryan | **Principal Consultant**
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Michael Ryan - Riverina Agriconsultants

From: Luke Pearce <luke.pearce@dpi.nsw.gov.au>
Sent: Friday, 30 April 2021 2:21 PM
To: Michael Ryan - Riverina Agriconsultants
Subject: RE: Snowy Valleys Rural Lands Study

Hi Michael,

Thank you for contacting Dpi Fisheries and providing us the opportunity to provide comment, the main concern from Dpi Fisheries is that the Riparian lands and watercourse provision are retained as per the Tumut LEP 2012 are retained. I can provide further details or justification as per what we provided when the LEP where developed if that is of help.

Regards

Luke

From: Michael Ryan - Riverina Agriconsultants <M.Ryan@rivagri.com.au>
Sent: Wednesday, 21 April 2021 1:08 PM
To: Luke Pearce <luke.pearce@dpi.nsw.gov.au>
Subject: Snowy Valleys Rural Lands Study

Hi Luke,

Thanks for responding to my phone message yesterday.
I have been engaged by Snowy Valleys Council to undertake a Rural Lands Study.
A copy of the brief is attached, I refer you to the tasks on page 7.
I am open to consultation methods ranging from a phone call to a planning focus style meeting in the LGA and interested in your thoughts.
I am out of the office tomorrow and Friday, can we speak next week?

Regards,
Michael Ryan

Michael Ryan | **Principal Consultant**
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Michael Ryan - Riverina Agriconsultants

From: James Sellwood <James.Sellwood@environment.nsw.gov.au>
Sent: Monday, 13 September 2021 5:50 PM
To: Michael Ryan - Riverina Agriconsultants
Subject: RE: Snowy Valleys Council Rural Lands Study
Attachments: Snowy Valleys LSPS - DPIE BCD inc ACH Advice 1 of 2.PDF; Snowy Valleys LSPS - DPIE BCD inc ACH Advice 2 of 2.PDF; Snowy Valleys LSPS - HNSW Response.pdf

Dear Mr Ryan

Apologies for the delay in responding to you, your request has been forwarded to me for response. We have reviewed the Rural Lands Study Brief and provide the following advice for your information:

We have reviewed our records to identify State Heritage Register, Aboriginal Places and Registered Aboriginal Sites within land zoned for rural purposes, national parks and nature reserves, or environmental management in the Snowy Valleys LGA:

State Heritage Register (SHR)

SHR Item No.	Name	Zone
00072	Adelong Falls Gold Workings/Reserve	Primary Production
01471	Junction Bridge	Primary Production
01906	Bundian Way	National Parks and Nature Reserves

If you require mapping of for these SHR item, please contact us.

Aboriginal Places

Name	Zone
Hannibal Hamilton Grave	Primary Production
Brungle Cemetery	Primary Production
Mudjarn	National Parks and Nature Reserves
Nimbo Creek	Primary Production

If you require mapping of for these declared places, please contact us.

Registered Aboriginal Sites

ZONE	AHIMS Sites
Environmental Management	18
Forestry	377
National Parks and Nature Reserves	286
Primary Production	195

Unfortunately due to the cultural sensitivity of the Registered Aboriginal Sites, we cannot provide the location of these sites.

The above heritage items, place and site should be taken into consideration when preparing the Rural Lands Study, care must be taken to avoid impacts where possible, and consideration given as to how to mitigate any impacts where they are unavoidable.

We have consulted with our Aboriginal Cultural Heritage Regulation (ACH) team for Southern NSW, who have recommended that:

- consultation is undertaken with the Aboriginal community in accordance with the *Aboriginal cultural heritage consultation reequipments for proponents 2010* (DECCW 2010) to seek to identify, document, record and protect Aboriginal cultural heritage values, and
- that preparation of the rural lands study should also be informed by the *Guide to investigation, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011) and a field assessment prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010).

I have attached the following advice that we have provided to Council on their Local Strategic Planning Statement:

- non-Aboriginal and ACH heritage advice provided by this team, and
- ACH advice provided by our ACH Regulation staff, when they were part of the of the Biodiversity Conservation Division within the Department of Planning, Industry and Environment.

Please let me know if you have any questions.

Best regards
James

James Sellwood
Senior Heritage Programs Officer, Strategic Relationships and Planning
OBO
Rochelle Johnston
Manager, Heritage Act Programs

Heritage NSW
Department of Premier and Cabinet
Level 6, 10 Valentine Avenue, Parramatta NSW 2150 | Locked Bag 5020 Parramatta NSW 2124
02 9274 6354 | james.sellwood@environment.nsw.gov.au

Website | Facebook | Instagram | LinkedIn

I acknowledge and respect the traditional custodians and ancestors of the lands I work across

Heritage Management System is live – heritage.nsw.gov.au/what-we-do/heritage-management-system

From: Michael Ryan - Riverina Agriconsultants <M.Ryan@rivagri.com.au>
Sent: Thursday, 12 August 2021 11:20 AM
To: OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>
Subject: FW: Snowy Valleys Council Rural Lands Study

Hi Just wondering if someone can respond to this email even to let me know there is no feedback at this stage?

Regards,
Michael

From: Michael Ryan - Riverina Agriconsultants
Sent: Tuesday, 1 June 2021 12:34 PM
To: 'heritagemailbox@environment.nsw.gov.au' <heritagemailbox@environment.nsw.gov.au>
Subject: Snowy Valleys Council Rural Lands Study

Hi,

I am preparing a Rural Lands Study for Snowy Valleys Council.
Attached is the project brief, see tasks set out on page 7 which includes agency consultation.
I am wondering if Heritage NSW would like to provide any feedback for this project?

Regards,
Michael Ryan

Michael Ryan | Principal Consultant
RIVERINA AGRICONSULTANTS
02 6964 9911
Level 1, 84 Yambil Street, Griffith NSW 2680
www.rivagri.com.au

Annexure 2

Horticulture Land Use Maps

SNOWY VALLEYS COUNCIL
LAND AND SOIL CAPABILITY
AND HORTICULTURE

Note: Riverina Agriconsultants and its employees do not guarantee that this publication is wthout flaw of any kind or is wholly appropriate for your particular purposes, and therefore disclaims all liability for relying on any information in this publication.
Date: 31/05/2021
Project: Snowy Valleys Council - RLS
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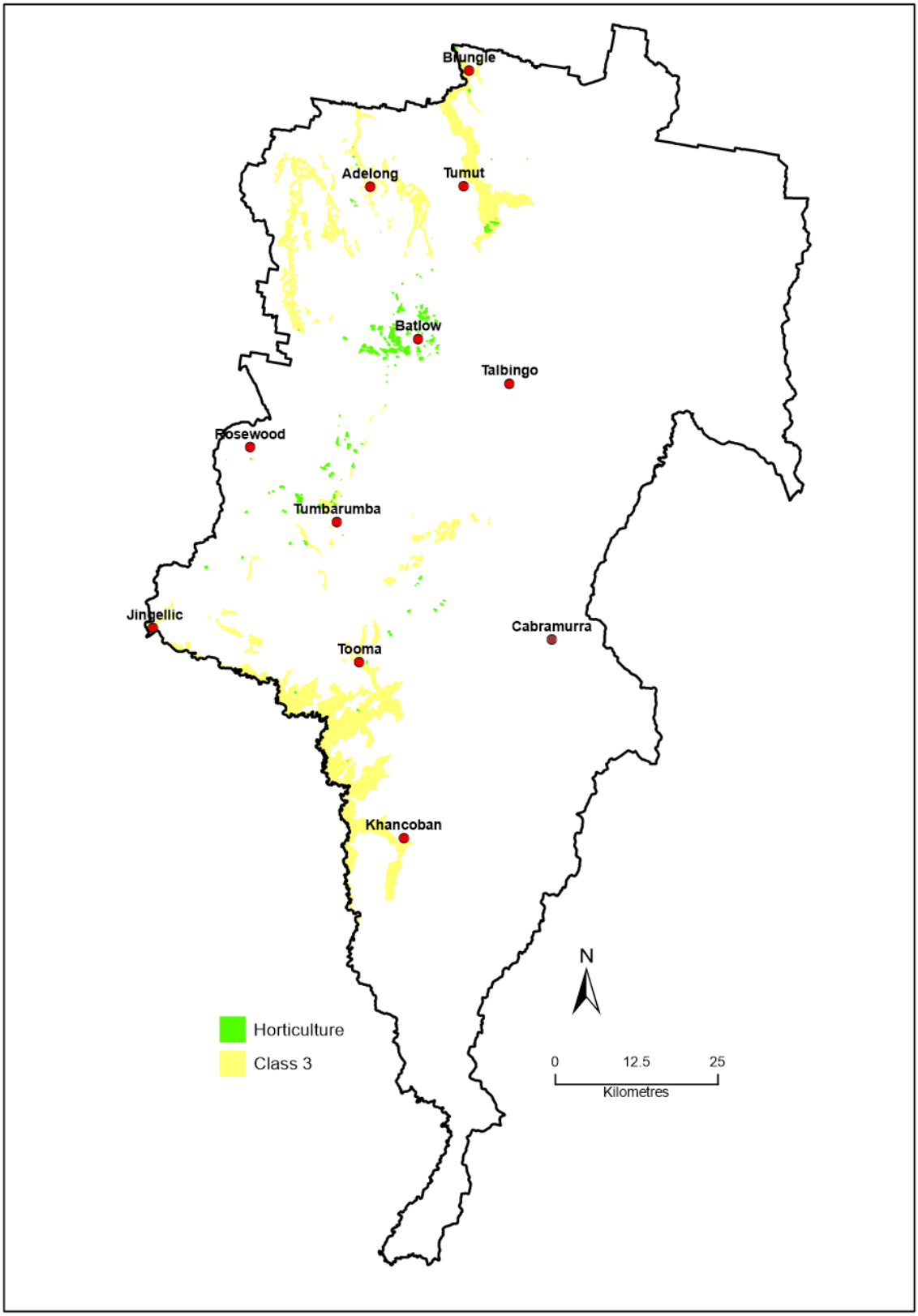

SNOWY VALLEYS COUNCIL
PRIME AGRICULTURAL LAND
AND HORTICULTURE

Date: 31/05/2021
Project: Snowy Valleys Council - RLS
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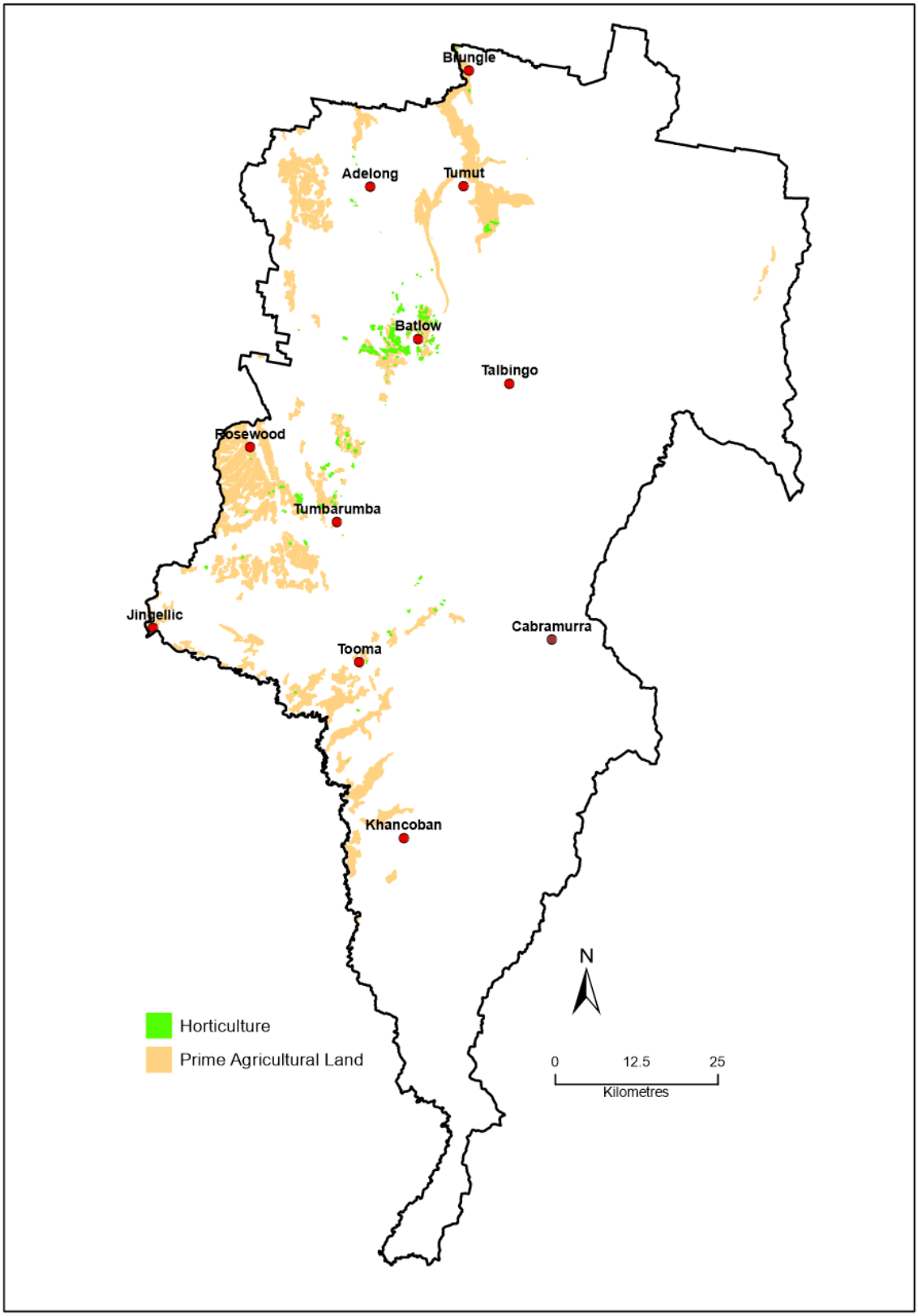

SNOWY VALLEYS COUNCIL
BIOPHYSICAL STRATEGIC AGRICULTURAL LAND AND HORTICULTURE

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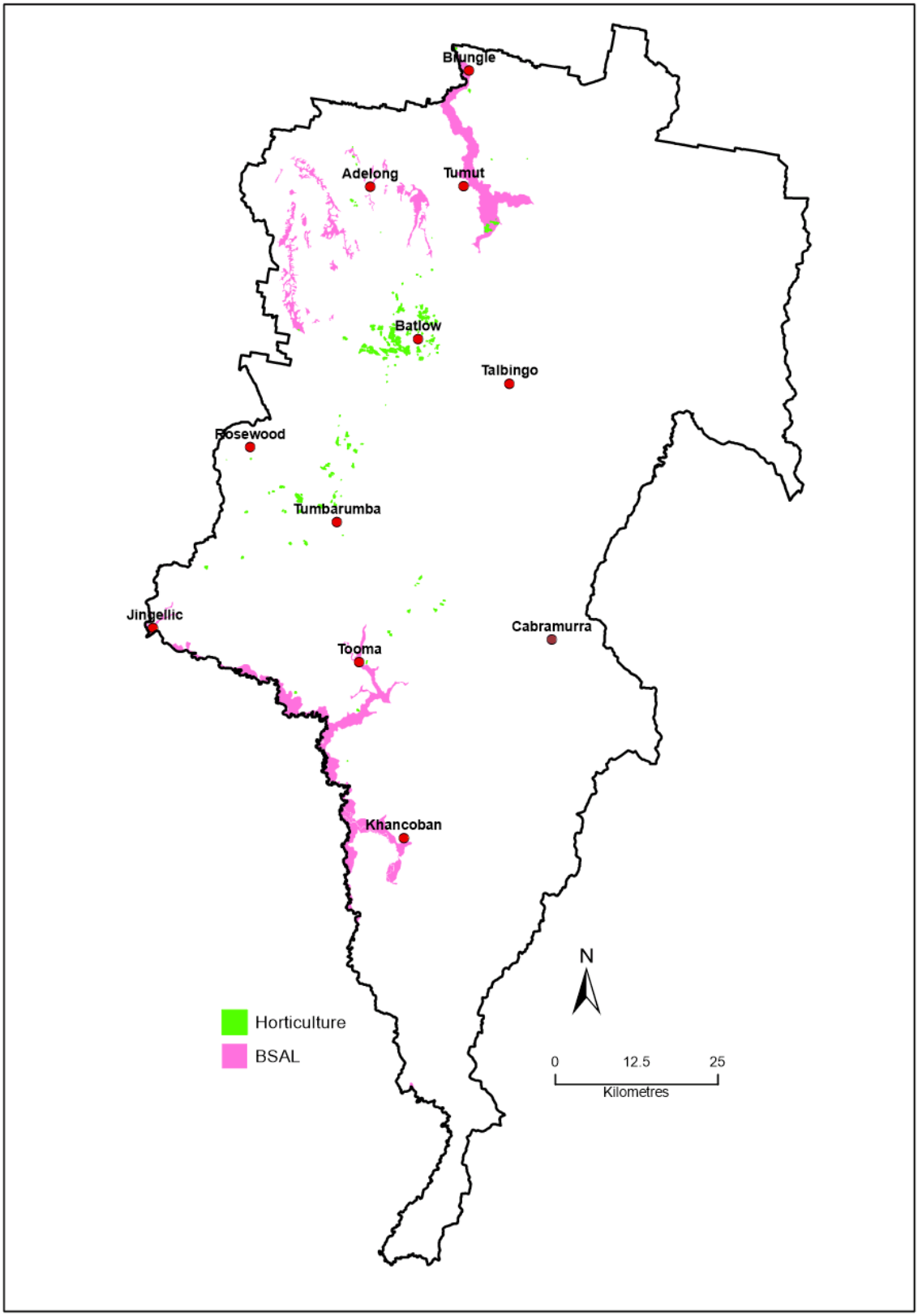

Annexure 3

NSW Government Planning Documents

NSW Government Documents

There are four key NSW Government planning documents of relevance to this Rural Lands Study being:

- Riverina Murray Regional Plan 2036 (Department of Planning & Environment 2017);
- Agriculture Industry Snapshot for Planning – Eastern Riverina Sub Region (Department of Primary Industries 2020);
- Strategic Planning for Agriculture (Draft) NSW Department of Primary Industries, 2021; and
- Agri-tourism and small-scale agriculture development – Explanation of Intended Effect (Department of Planning, Industry and Environment 2021).

Key sections of these four documents are addressed in the following sub-sections:

Riverina Murray Regional Plan, 2036

The *Riverina Murray Regional Plan, 2036* was released in 2017 by the then Department of Planning & Environment and states its purpose is to establish:

> *"a framework to grow the region's cities and local centres, supports the protection of high-value environmental assets and makes developing a strong, diverse and competitive economy central to building prosperity and resilience in the region."*

The *Riverina Murray Regional Plan 2036* includes the following directions:

- Direction 1: Protect the region's diverse and productive agricultural land;
- Direction 2: Promote and grow the agribusiness sector;
- Direction 3: Expand advanced and value adding manufacturing;
- Direction 7: Promote tourism opportunities;
- Direction 13: Manage and conserve water resources for the environment;
- Direction14: Manage land uses along key river corridors;
- Direction15: Protect and manage the region's many environmental assets;
- Direction 16: Increase resilience to natural hazards and climate change; and
- Direction 27: Manage rural residential development.

The *Riverina Murray Reginal Plan 2036* also states:

> *"The co-location of incompatible land uses can inhibit agricultural processes and, over time, affect productivity. The fragmentation of agricultural land can also impact its productivity by limiting its ability to operate at a sufficient economic scale.*
>
> *The region's important agricultural land needs to be identified and protected, and a critical mass of agricultural industries maintained. This will capitalise on increasing demand for*

agricultural products, support the growth of agribusiness, achieve productivity increases and sustain employment levels."

Actions under Direction 2 include:

"2.1 Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions.

2.2 Provide opportunities to improve support to agriculture through better guidance on protecting agricultural land and managing interface with other land uses."

Actions under Direction 3 include:

"3.1 Promote investment in advanced value-added manufacturing by removing restrictive land use zonings and outdated land use definitions in local plans.

3.2 Protect advanced and value-added manufacturing industries and associated infrastructure from land use conflict arising from the encroachment of inappropriate and incompatible land uses."

In relation to Direction 7:

"Promoting eco-tourism, agritourism, lifestyle activities (events and festivals) recreation, and Aboriginal cultural heritage and historic heritage can help to sustain the economies of local towns and villages, and food growers."

Actions under Direction 7 include:

"7.1 Align local land use strategies and tourism strategies within the Destination Management Plan for the Riverina Murray Destination Network.

7.2 Enable opportunities for tourism development and associated land uses in local plans."

Actions under Direction 13 include:

"13.1 Locate, design, construct and manage new developments to minimise impacts on water catchments, including downstream and groundwater sources.

13.2 Minimise the impact of development on fish habitat, aquaculture and waterways (including watercourses, wetlands and riparian lands) and meet the Water Quality and River Flow Objectives."

Action 14.3 is:

"Consider and assess the potential impacts of new development on biodiversity along river corridors, including the Murray and Murrumbidgee Rivers, and manage offsets."

Actions under Direction 15:

> *"15.1 Protect high environmental value assets through local plans.*
>
> *15.2 Minimise potential impacts arising from development in areas of high environmental value, and consider offsets or other mitigation mechanisms for unavoidable impacts."*

Action 16.1 is:

> *"Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community's exposure to natural hazards."*

Action 26.6 is:

> *"Release guidelines to help councils plan and manage seasonal and itinerant worker accommodation."*

Horticulture relies on seasonal workers to assist with peak workloads, harvest in particular.

In relation to Direction 27 the *Regional Plan* states:

> *"A consistent planning approach is required to identify suitable locations for new rural residential development, to avoid fragmentation of productive agricultural land, potential impacts on high environmental assets, cultural and heritage assets or areas with important rural landscape values. Rural residential development should not increase pressures on infrastructure and services and should be located on land free from natural hazards."*

Agriculture Industry Snapshot – Eastern Riverina Sub-Region

The *Agriculture Industry Snapshot for Planning – Eastern Riverina Region* was released by NSW Department of Primary Industries in August 2020. The document's purpose includes detailing key agricultural industries "*and their interactions with suppliers, processing facilities and markets*" to provide an "*evidence base for strategic planning*" in order to protect and support agricultural land and local agriculturally based economies with planning instruments.

According to the *Department of Primary Industries 2020*:

> *"key constraints for agricultural production include access to water (surface and ground), changing climate, and non-agricultural land uses on rural zoned lands. Intensive agriculture and value-adding industries may have to deal with increasing land use conflict and meeting planning requirements."*

The *Department of Primary, Industry & Environment 2020* states:

> *"Livestock production requires unconstrained land with opportunity for producers to increase scale without risk of land use conflict".*

and

> *"Some producers may operate more intensive lot feeding on farm, which will increase the amount of stock, feed and transport movements. Transporting stock requires a reliable road system."*

and

> *"Intensive beef, pig and poultry operations require large separation distances from sensitive receptors, reliable feed and water supplies, adequate drainage and manure disposal systems, and quality road access. Usually large areas of unfragmented rural zoned land are required for intensive operations to incorporate buffers to manage biosecurity, amenity, odour and noise. Legitimate agricultural activities may cause external emissions such as noise, dust and light spill anytime over 24 hours including early mornings and late evenings, depending on the enterprise, and should be protected by right to farm policies."*

and

> *"Fruit and nut orchards require a reliable water supply for irrigation and good quality well drained soils. Some fruits such as pome and stone fruits have thresholds for frost days, moisture and cool temperatures, and hence have specialised locational requirements such as around Batlow.*
>
> *Modern large scale developments require seasonal workers for picking and, often, on farm processing. Quality, well maintained roads are required to transport the produce and labour. Legitimate horticultural activities are likely to cause noise, odours, dust, spray emissions, smoke, vibration and should be protected by right to farm policies."*

and

> *"Agricultural industries in the eastern Riverina have a comprehensive and diverse supply of support services and infrastructure, including food processing and manufacturing transport and logistics, professional services and farm supplies."*

The *Department of Primary Industries 2020* states:

> *"rural planning provisions often allow incompatible development and subdivision that affect farm amalgamations, expansion or intensification plans and ultimately restrict a farmer's ability to make a living."*

and

> *"Future land use planning must recognise the importance of agriculture to society and the economy and that the land and resources on which agriculture depend need to be protected and managed to enable continued use of the land for agriculture."*

Inflated agricultural land prices arising from non-agricultural land uses can prevent farm expansion, defer expectations between legitimate agricultural operators and neighbours, result in a loss of critical mass (required for commercial viability) and create uncertainty.

The *Department of Primary Industries 2020* states:

> *"Clear development controls which specify requirements for intensive agricultural development, and non-agricultural developments near existing agricultural land uses, are integral to minimising community concerns and avoiding unnecessary cost and delays."*

and

> *"Planning policy and controls which prevent land uses in rural areas that are incompatible with agriculture can minimise the potential for land use conflict."*

Land use conflict arises when expansion of urban land use and rural residential housing in rural areas results in conflict with legitimate agricultural land uses.

The *Department of Primary Industries 2020* states:

> *"The land use zones that apply to the land on which agriculture occurs permit a wide range of other land uses. This competition for rural land on which agriculture can occur can lead to increased land prices and uncertainty for agricultural industries and investors. Increased non agricultural development on rural zoned land results in competition for the land leading to community disharmony and in some cases reduced productivity and or transfer of agriculture to other areas."*

and

> *"Planning controls which limit the range of non-agricultural land uses that are permissible in zones applied to agricultural land can prevent the encroachment of non agricultural land uses on agriculture."*

and

> *"Adverse impacts on agriculture can occur where there is a high degree of land fragmentation from undersized rural lot sizes. Small rural lot sizes limit the ability of most agricultural enterprises to achieve required buffer distances or expand their operations."*
>
> *Expansion of agricultural operations in a fragmented rural landscape often means significant investment to purchase additional land. When additional land is not available for expansion producers usually exit the area or increase productivity by intensification of operations, a process which can increase the potential impacts on nearby non-agricultural land uses or require significant investment to mitigate potential impacts.*

and

> *"Planning policy which sets appropriate minimum lot sizes for a dwelling house and prevents further subdivision of rural land, except where there is a demonstrated agricultural need, can prevent the adverse impacts of land fragmentation."*

and

> *"All agricultural industries have a critical level of production which ensures the economic viability of the enterprise. Where secondary industries rely on a minimum volume of agricultural product to remain viable it is imperative for the industry to maintain that critical mass for the benefit of all agricultural industries."*

and

> *"Land use planning needs to recognise that it is not only agricultural land with important biophysical characteristics that needs to be retained for agricultural purposes, but also those key secondary supporting industries which may be located on lower quality agricultural land which are still potentially impacted by encroaching non-agricultural land uses.*

and

> *"It is important for agricultural industries to maintain a 'social licence' for their operation. The agriculture industries' right to farm agricultural land and retain access to water needs to be balanced with responsible and ethical land and livestock management and adherence to best practice operations to minimise the potential for adverse environmental impacts."*

Sustainable agriculture requires land use planning to ensure:

- *"Farms are of a sufficient scale;*
- *Land use conflict risks are managed by avoiding non-agricultural development;*
- *Land use conflicts are also minimised with relevant planning controls and guidelines for primary production areas; and*
- *Access to associated services including transport, telecommunications and labour."*

The *Department of Primary Industries 2020* states:

> *"Land use planning can support sustainable agricultural development and promote improved resource management, through planning controls, in the following ways:*
>
> *(a) identify lands that are highly suitable for agriculture industries*
>
> *(b) encourage and support appropriate zoning for agricultural land and appropriate zoning within these areas*
>
> *(c) encourage compatible development in important agricultural land areas*
>
> *(d) apply controls that separate incompatible land uses to minimise the land use conflict*
>
> *(e) adopt relevant minimum lot sizes to minimise fragmentation of resource land*

> *(f) strategically plan for urban, residential, rural lifestyle, mining and other incompatible developments in locations away from highly productive important agricultural land*
>
> *(g) implement right to farm policies for legitimate agricultural uses of land*

and

> *"Productivity growth is central to the performance and international competitiveness of the Australia's agricultural sector. Producers can increase scale through expanding operations onto additional land and intensification of agriculture operations."*

Examples of intensification in the Snowy Valleys LGA include horticulture, viticulture, livestock lotfeeding and aquaculture.

According to the *Department of Primary Industries 2020,* planning levers to facilitate intensification include:

> *"LEP zones and provisions should be applied over intensive agricultural precincts; with land use tables structured to permit intensive agriculture and related industries while prohibiting incompatible land uses such as residential accommodation, tourist and visitor accommodation, commercial, and heavy industrial and recreational activities.*
>
> *Minimum lot sizes should be large enough to limit fragmentation of agricultural land, incorporate industry requirements, enable expansion of existing agricultural industries and provide for adequate buffers to incompatible land uses."*

According to the *Department of Primary Industries 2020,* planning levers to increase food security include:

> *"Council should zone agricultural land for primary production and only permit agriculture and a narrow range of supporting land uses in that zone.*
>
> *Some forms of horticulture may be a suitable permissible use in a range of zones, with opportunities for associated agri-tourism and roadside stalls."*

The *Department of Primary Industries 2020* states:

> *"Tourism ventures that are underpinned by an agricultural activity can provide opportunities for income diversification and value adding. This has been very successful in high amenity locations such as the wineries around Tumbarumba and Wagga, where wine production is combined with other visitor experiences.*
>
> *Research has found rural landscape features associated with some agricultural activities (such as pastures, vines and grazing cattle) positively influence the demand for rural tourism. However agri-tourism developments should be restricted to properties undertaking primary production and should be sited with sufficient separation distances to minimise land use conflict with neighbouring agricultural enterprises. Appropriate road access and biosecurity protocols should be put in place to protect agricultural enterprises."*

and

> *"LEP zones and provisions should be applied over value adding facilities; with land use tables structured to permit industries related to primary production while prohibiting incompatible land uses.*
>
> *Agri-tourism (farm stays, bed & breakfast accommodation) should be associated with and complement the continued agricultural production and land.*
>
> *Agritourism should be directed away from intensive agricultural operations or precincts."*

Horticulture and wine grape production in the Snowy Valleys LGA is both an intensive agricultural operation, and also well suited to agritourism with cellar doors and roadside stalls compatible with such operations.

The *Department of Primary Industries 2020* states:

> *"The minimum lot size specified in a LEP for rural land needs to be of a scale to prevent fragmentation into lots which cannot support the locally typical agricultural land uses. Generally larger minimum sizes facilitate the establishment of larger and more appropriate buffer distance between potentially conflicting land uses. Larger lot sizes also enable expansion or diversification of the agricultural activities without the need to purchase additional land which can be an economically prohibitive option for farm expansion. While it can be often difficult to execute, the breaking of the nexus between minimum lot size and dwellings is a way to prevent new settlement on rural land, and a positive advance in promoting agriculture and preventing future land use conflict."*

The nearest dairy processors to the LGA are based at Albury and Wagga Wagga. The nearest livestock abattoirs are located at Gundagai, Junee and Wagga Wagga. There are livestock saleyards at Adelong and Tumut which are used on an infrequent basis. There is a trend towards on-farm sale of livestock or larger saleyards at more centralised locations such as the Wagga Wagga Livestock Centre (which is the third largest NSW saleyard complex).

All agricultural production relies on road infrastructure to move products to market and to the supply inputs such as fertiliser, chemicals and fuel, as well as for access to support services.

Strategic Planning for Agriculture Draft

Attached to the NSW DPI response in Annexure 3 was a Draft *Strategic Planning for Agriculture* document which states:

> *"For rural land, land use planning systems typically involve balancing the provision of land for agriculture, mines, quarries, energy production and new infrastructure with the demands for housing and industrial development while supporting local employment, maintaining essential local services, and supporting local businesses. The planning system also aims to maintain difficult to quantify community values such as the character of local landscapes and conservation areas."*

and

"Agriculture and the land on which it is undertaken is important for a number of reasons including:

- *Provides a range of food and fibre products*
- *Contribution to the economy*
- *Support of regional communities*
- *Underpins the character of regional communities"*

and

"When agricultural land is converted to other uses, especially to residential or industrial uses, it can be permanently removed from agricultural production."

and

"It is important that land uses which are incompatible with agriculture are directed away from rural areas and towards other more suitably zoned land."

and

"Biophysical characteristics are not however the only attribute that makes land suitable for agriculture. The changing nature of agriculture from intensification of practices, improved technology and reduced costs associated with high tech production methods has meant that soil and water are not as critical for some food or fibre production systems. Industries are therefore establishing on land which does not possess biophysical attributes but which are located close to other relevant industries, both upstream and downstream, to achieve reductions in input or processing costs. Such locations are often located close to appropriate infrastructure (power, water and telecommunications) and a reliable supply of skilled labour."

and

"Agricultural Planning Principles

Strategic planning for rural land should consider the needs and role of agriculture in the rural landscape. The following are planning principles for how agriculture should be considered in the strategic planning framework.

1. *Agricultural land should be maintained for ongoing agricultural production where possible.*

2. *Land use planning should protect and prioritise agricultural land for agriculture where possible, recognising its social, economic and strategic value (value which includes the dependency of secondary agricultural businesses and retailers on agriculture) both immediately and for future generations.*

3. *Strategic planning for agricultural land should consider and accommodate, where possible, agricultural trends, the importance of agriculture to the community and the economy and the unique issues facing agricultural businesses from time to time.*

4. *Non-agricultural land uses on agricultural land should not detract from the long-term productive capacity of the land and secondary industries, services and infrastructure that support agriculture.*

5. *Rural land use strategies should ensure non-agricultural land uses on agricultural land maximise community benefit and minimise land use conflict and adverse impacts on agriculture."*

The draft Strategic Planning for Agriculture document lists the key aspects to be addressed in a Rural Land Strategy to be:

- Prioritisation of agriculture on important agricultural land, which reflects the value of agriculture to the LGA;
- Growth opportunities by addressing limitations to expansion of agricultural production;
- Diversification to ensure agriculture remains the primary land use;
- Protection of existing and potential intensive agriculture and agribusiness operations;
- Agricultural resources including soil, water, infrastructure and access to agricultural processing facilities;
- Protection of existing safe guards for the maintenance of productive agricultural land and/or industries;
- Buffers to provide appropriate separation distances to mitigate against land use conflict and enable agricultural expansion or intensification;
- Rural character which has particular importance to local communities and agritourism;
- Non-agricultural and incompatible land uses which can be addressed by land use permissibility on rural land;
- Minimum lot sizes which deter the purchase of rural land solely for rural lifestyle purposes and prevent fragmentation of rural land;
- Limiting opportunities for new rural housing to that required to support agricultural production only;
- Rural residential development (R5) is not considered appropriate for commercial farming operations but rather is a residential purpose which should be considered in the context of a community housing strategy;
- The phasing out of historical dwelling eligibilities and undersized rural lots; and
- RU4 Zone which is not intended for rural lifestyle purposes.

The criteria for development of agricultural land set out in the draft *Strategic Planning for Agriculture* document provides guidance on when non-agricultural development may be appropriate on agricultural land.

Criteria for the Development of Agricultural Land		
The land is not contiguous with important agricultural land or has been separated from other important agricultural land by approved urban development.	The land is not capable of supporting sustainable agricultural production and does not support rural industries or infrastructure which significantly contributes to agricultural industries in the region.	The proposed use of the land will not increase the likelihood of conflict with adjacent agricultural land uses, and will not impact on current or future agricultural activities in the locality.

Agritourism and Small-Scale Agriculture Development

The Agritourism and Small-Scale Agriculture Development Explanation of Intended Effect (EIE) was released by the *NSW Department of Planning, Industry and Environment* in March 2021. This document:

> *"Proposes amendments to the NSW planning system to better enable 'agritourism' and small-scale agricultural development to be approved. It also seeks to respond to natural disasters such as droughts and bushfires, and to simplify planning approvals for development or activities that have no or low environmental impact."*

Agritourism is seen as an emerging industry that is supplementary to agriculture and has been defined by the *Department of Planning, Industry & Environment, 2021* as:

> *"Agritourism is a tourism-related experience or product that connects agricultural products, people or places with visitors on a farm or rural land for enjoyment, education, or to participate in activities and events. Agritourism activities enable farmers to diversify their income from farming businesses while maintaining primary production on the land as the principal use."*

Proposed amendments to the planning system in the EIE to facilitate agritourism include farm stay accommodation, farm events and farm gate activities as land use activities permitted with consent under an LEP as well as small-scale processing plants.

The *Department of Planning, Industry & Environment 2021* (EIE) states:

> *"Agritourism involves visiting a farm or food related business for enjoyment and education or to participate in activities and events. Agritourism is a growing sector of both the Australian and NSW economies, worth more than $2 billion in NSW in 2014-15 and is expected to be worth $18.6 billion in Australia by 2030, up from $10.8 billion in 2018. In 2019, Australians took 4.7 million trips to farmgate, winery, brewery or distillery in a regional destination.*
>
> *Farmers are increasingly seeking options to diversify their income stream or value-add to their core agricultural business to make it more resilient, profitable and attractive to a new generation of farmers."*

The COVID 19 pandemic and subsequent closing of Australian borders significantly increased the interest in rural and regional tourism, creating more opportunities for agritourism.

The *Department of Planning, Industry & Environment 2021* (EIE) states:

> *"Agritourism activities include direct shopfront outlets with produce tastings, regional markets, farm and winery tours, cooking classes, food and wine festivals, farm stays, restaurants sourcing local produce, self-picking experiences and farm gate sales. The term also covers farm-stay, camping and other on-farm accommodation, farm tours and tourism activities, and events based on farms for their scenic quality, such as weddings.*
>
> *More broadly, agritourism allows regional economies to showcase what's special about the region, its unique growing conditions and natural resources and provides a visitor drawcard from which other regional tourism businesses and experiences can benefit."*

Department of Planning, Industry & Environment 2021 (EIE) proposes a broadening of the definition of farm stay accommodation and the inclusion of 'farm gate' activities as a permitted use and states:

> *"Farm gate is a common term used where value is added to a farm's produce and there is an interaction with the farm by the purchaser of the goods. Farm gate activities may include appropriate infrastructure to enable on-farm dining or entertainment.*
>
> *Farm gate activities are in keeping with the surrounding agricultural landscape, community and region. These activities can also protect farming from encroachment by non-agricultural or conflicting uses by strengthening the value of the agricultural activity itself."*

The EIE also proposes the introduction of 'farm events' as a land use term which would:

> *"Allow events, tourists, functions and conferences on land used for agriculture."*

The introduction of 'small-scale processing plants' as a land use term is also proposed which would allow on-farm processing of meat, honey and dairy as complying development.

The NSW Department of Primary Industries has submitted a response to the Agritourism and Small-Scale Agriculture Development Explanation of Intended Effect which raises a number of concerns including that some of the proposed changes have the potential to increase the risk of agricultural land use conflict and recommends the proposed changes to agritourism and value-adding are integrated into the continued use of the land for productive commercial agriculture so as not to displace agriculture as the primary land use.

Annexure 4

E3 Landholdings

SNOWY VALLEYS COUNCIL LANDHOLDINGS E3 CADASTRE

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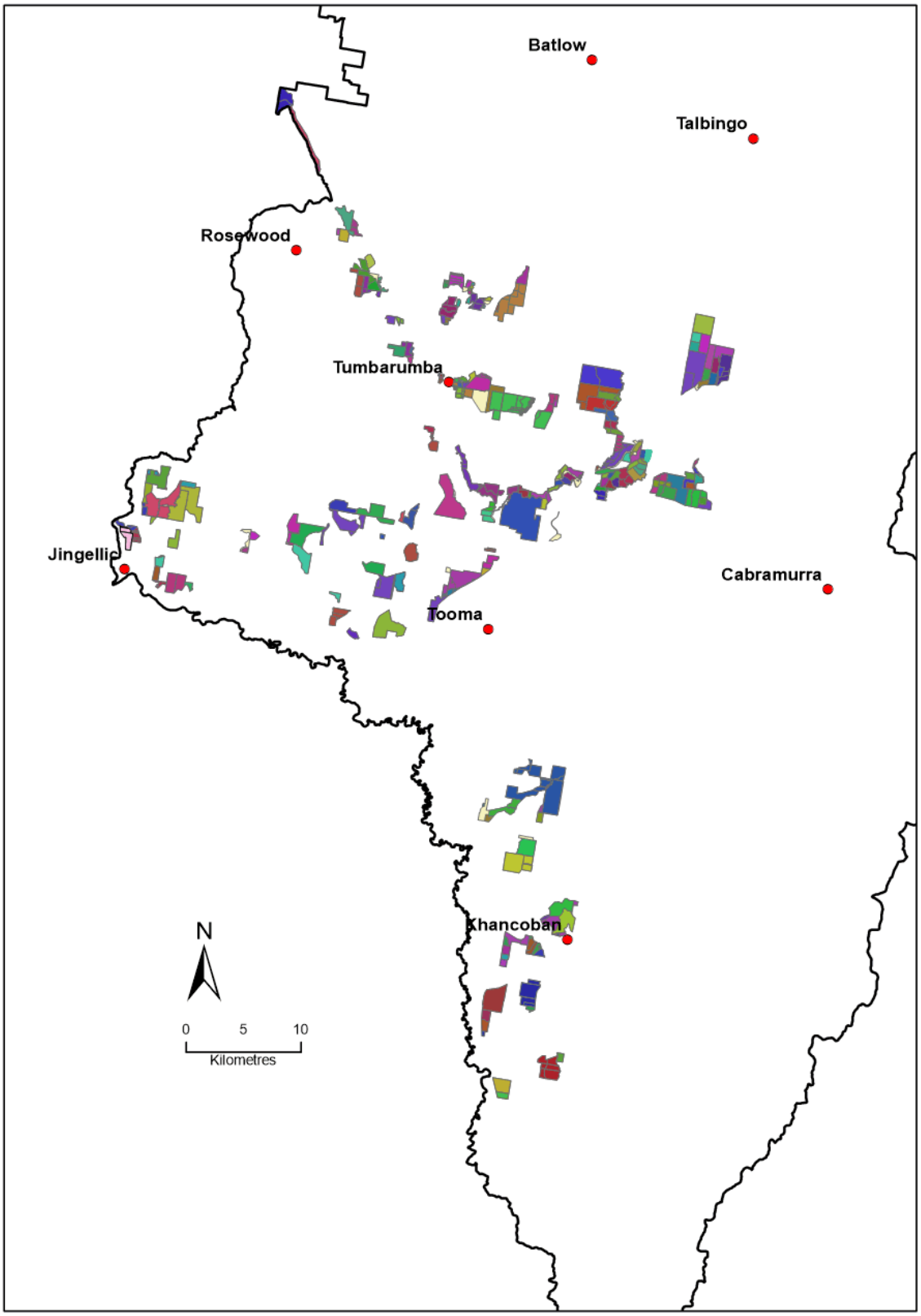

SNOWY VALLEYS COUNCIL
E3

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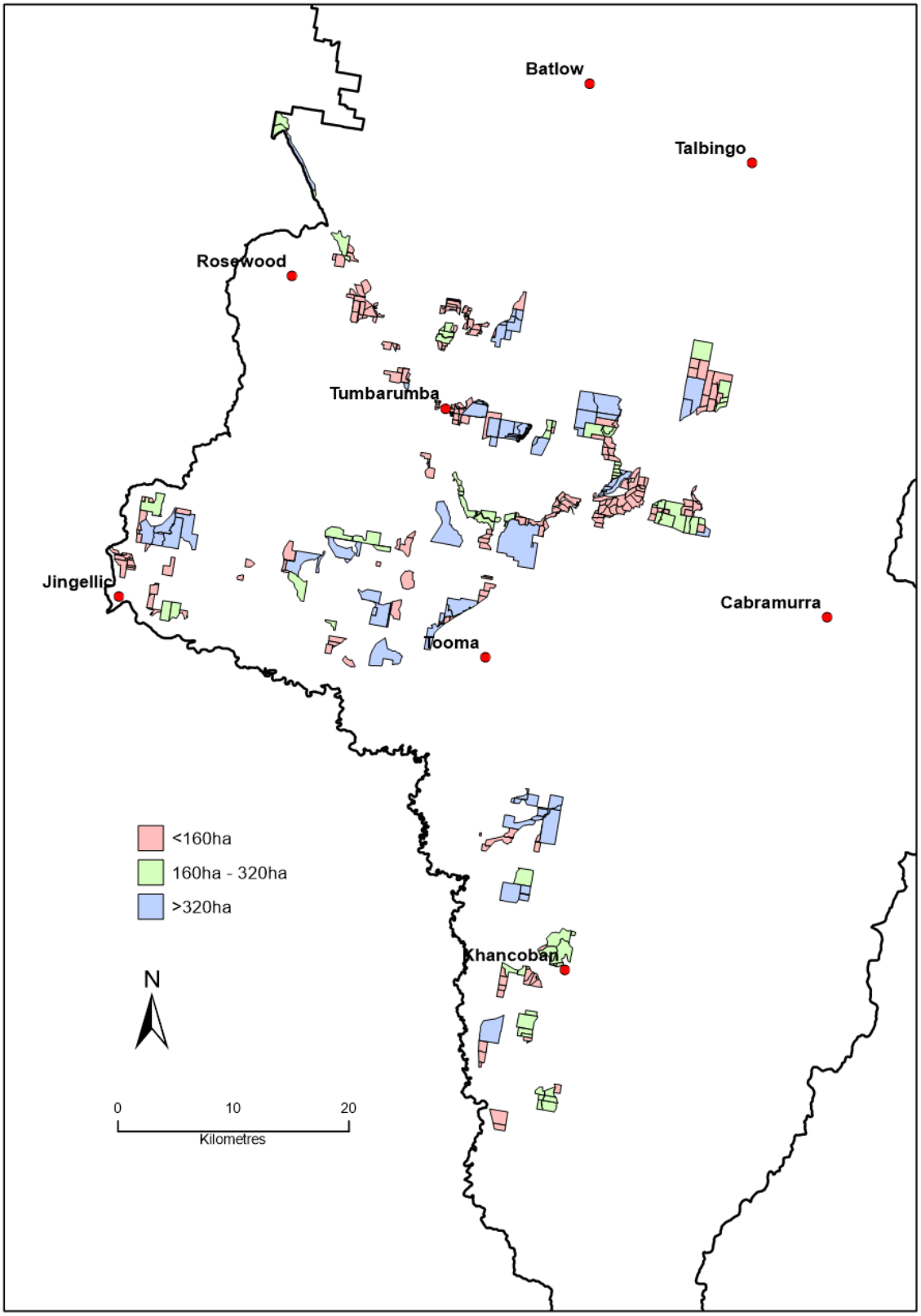

Annexure 5

RU4 Landholdings

SNOWY VALLEYS COUNCIL
RU4 4,000SQM

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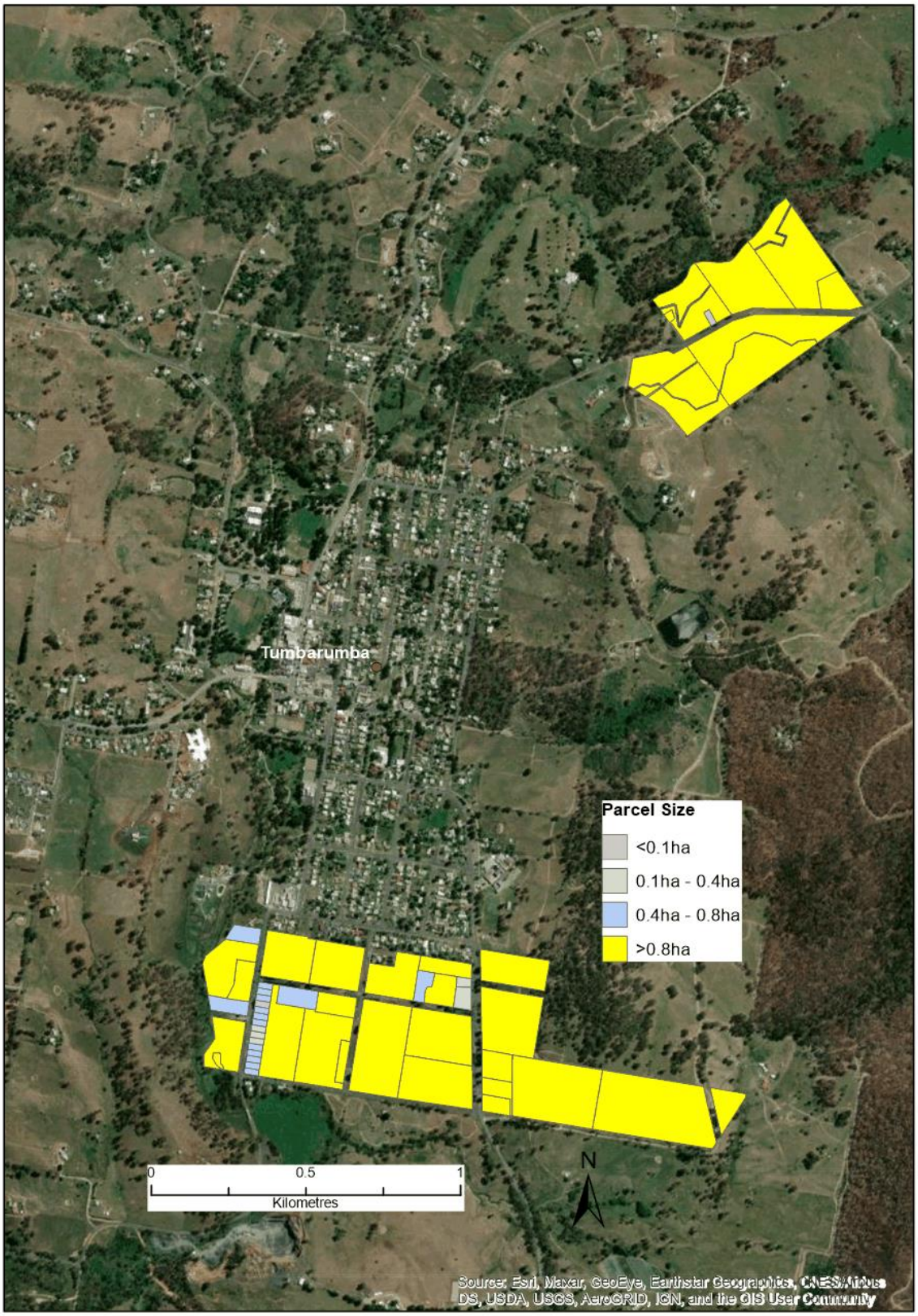

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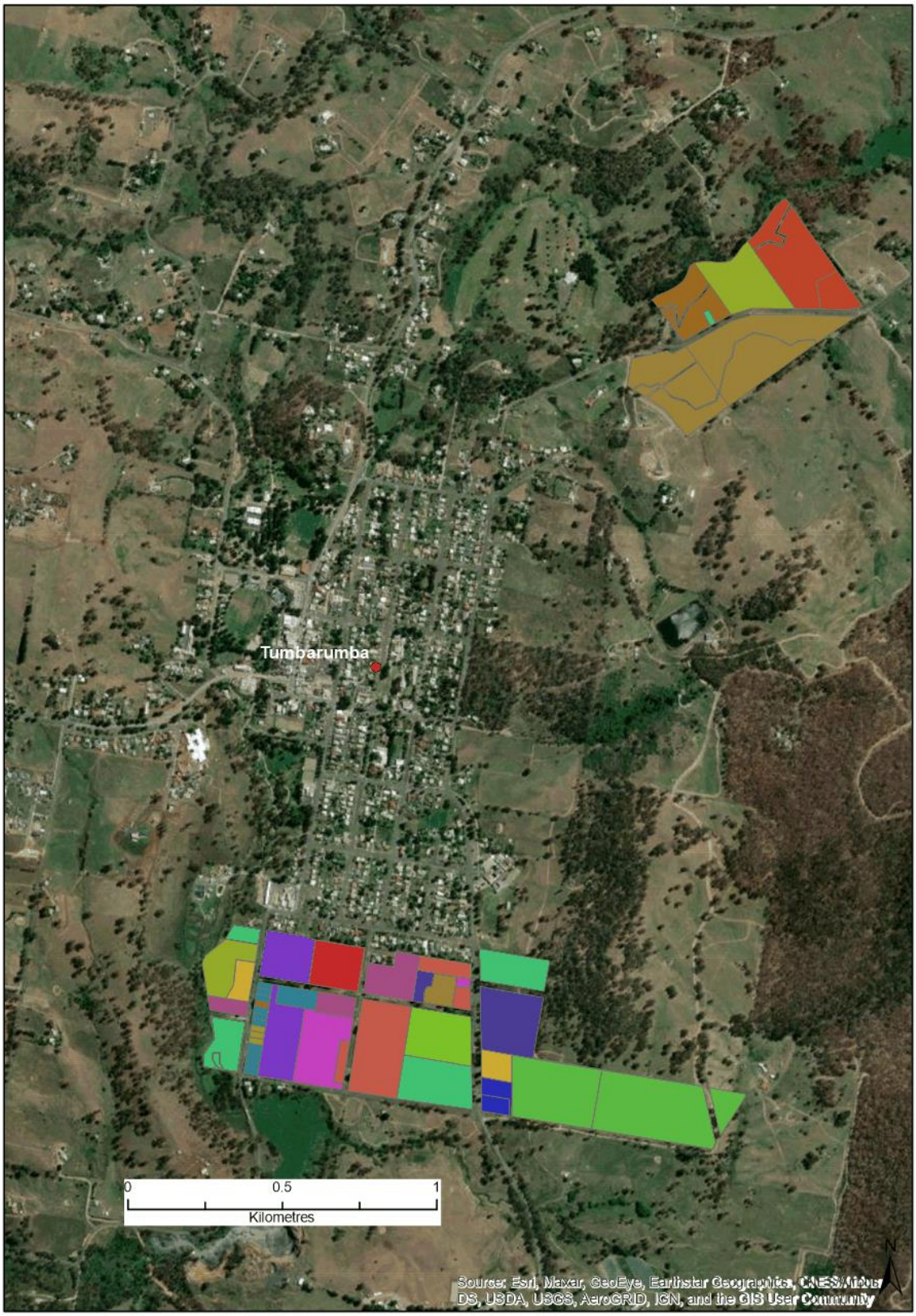

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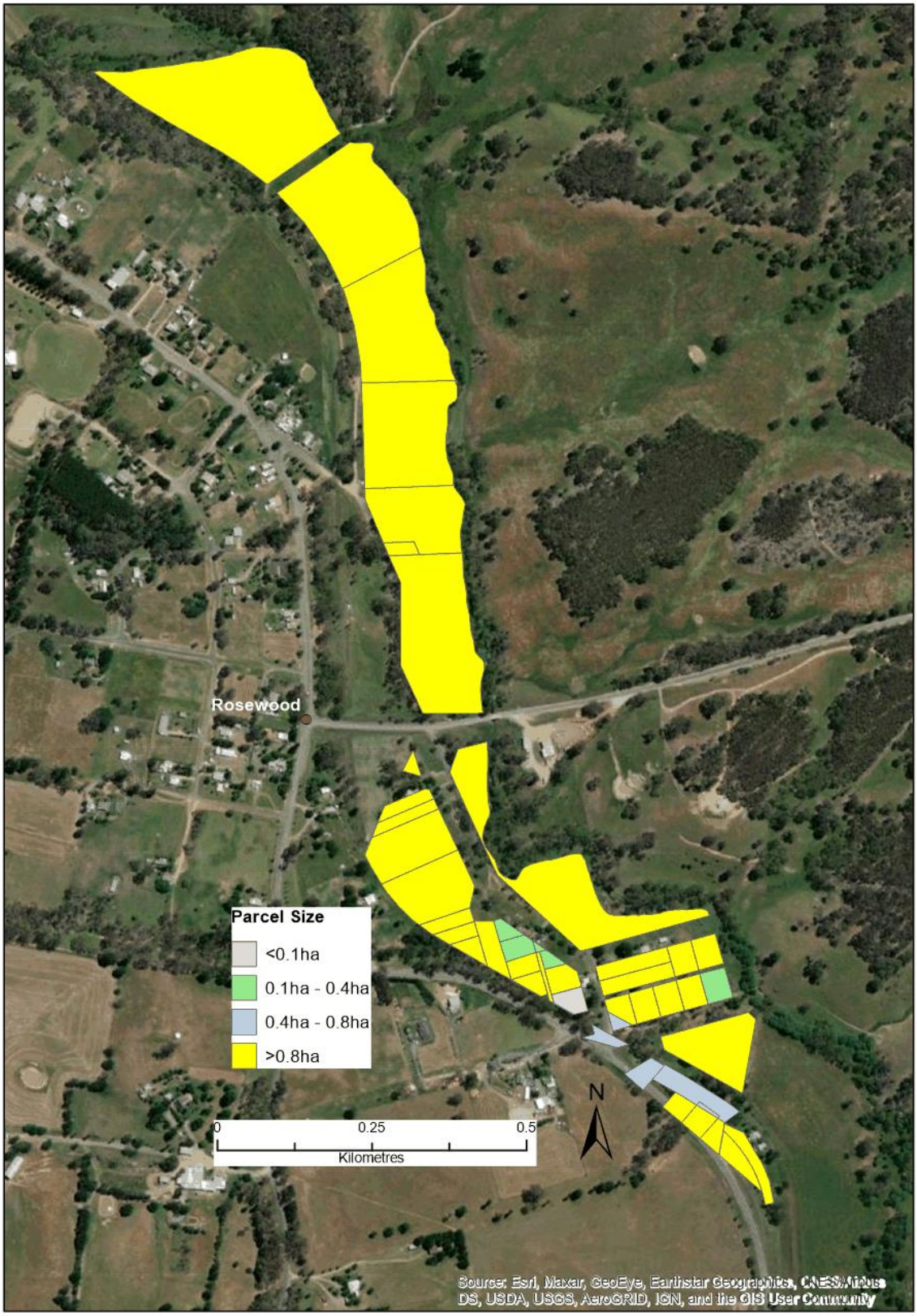

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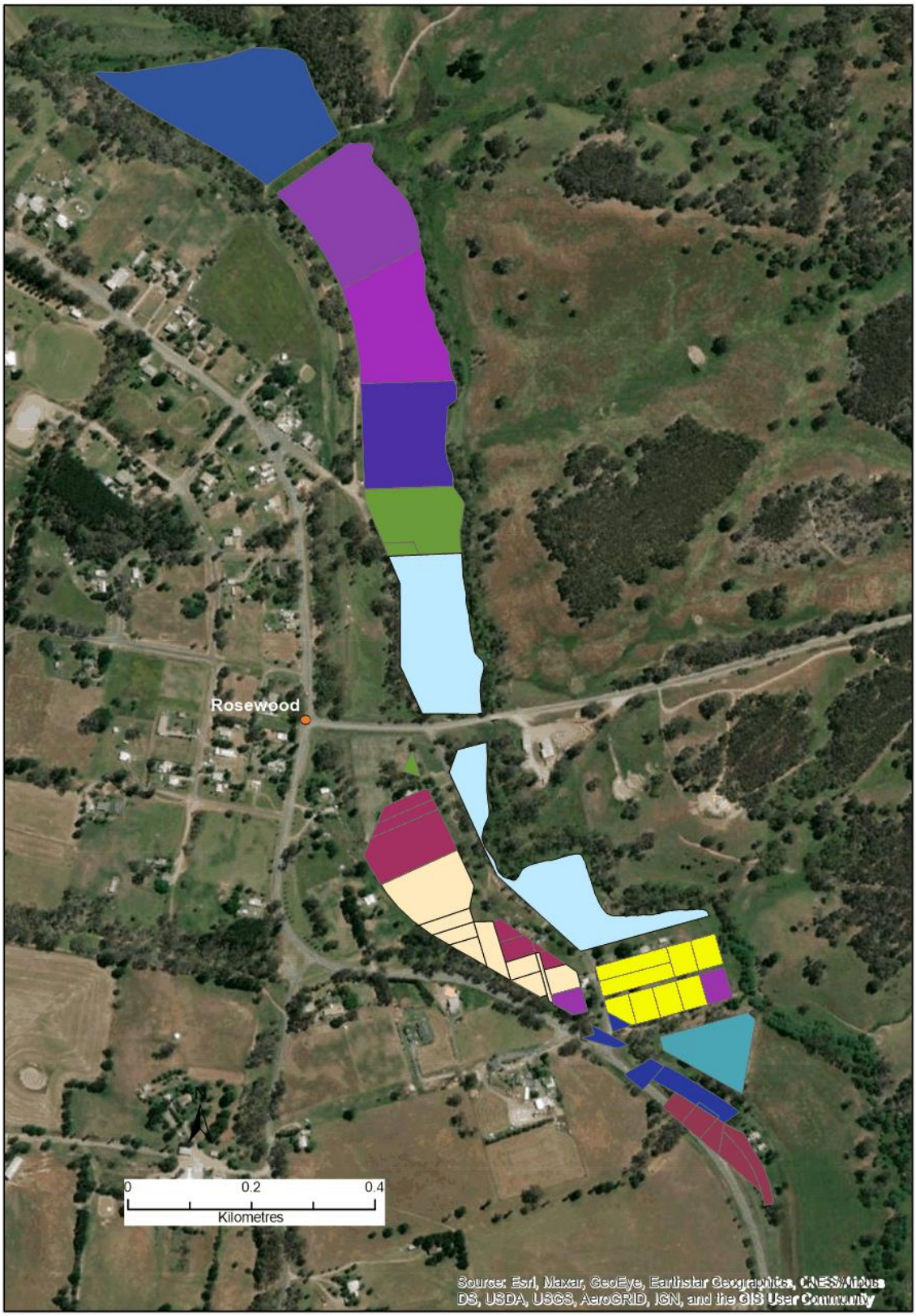

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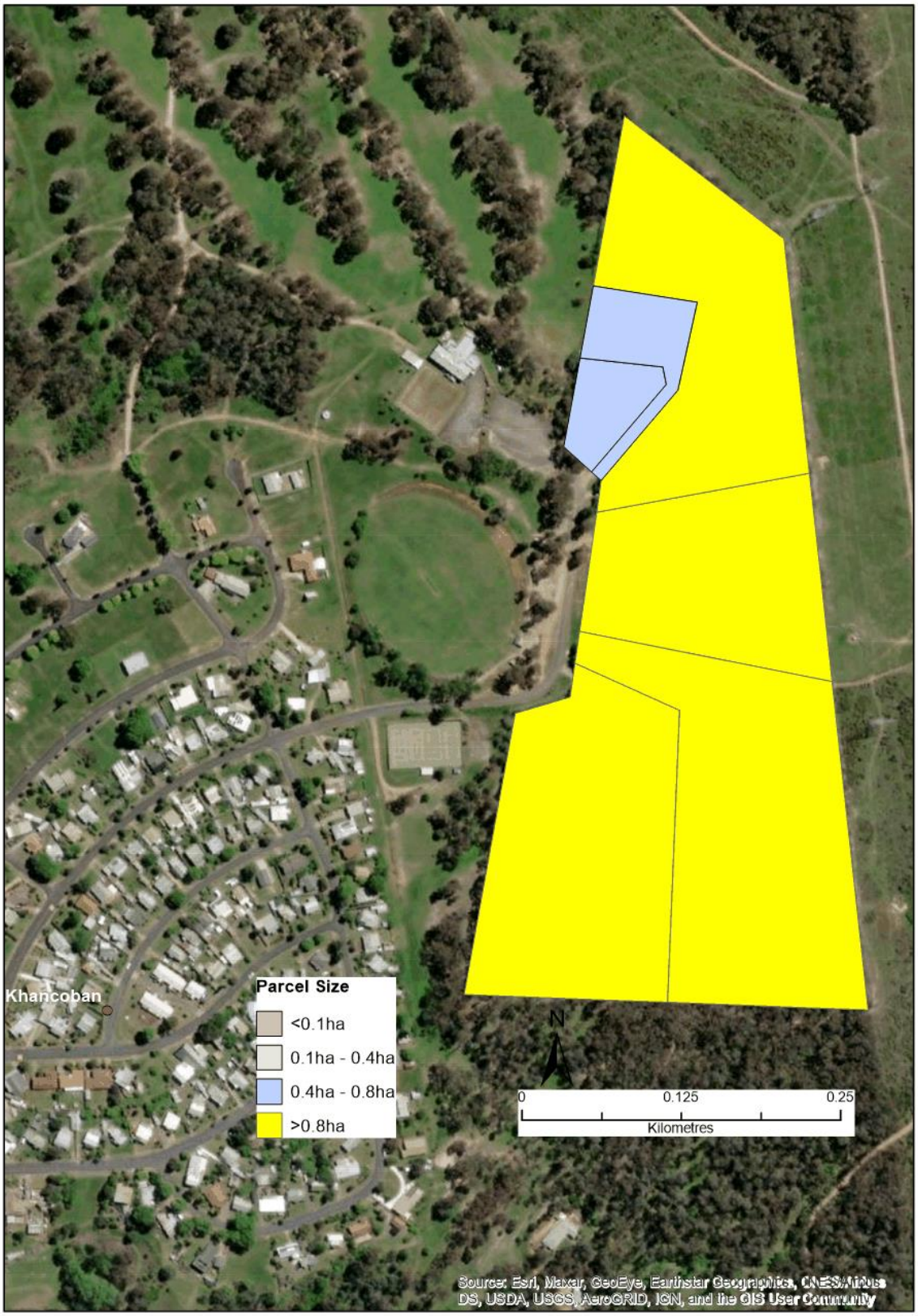

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RU4 2HA MLS

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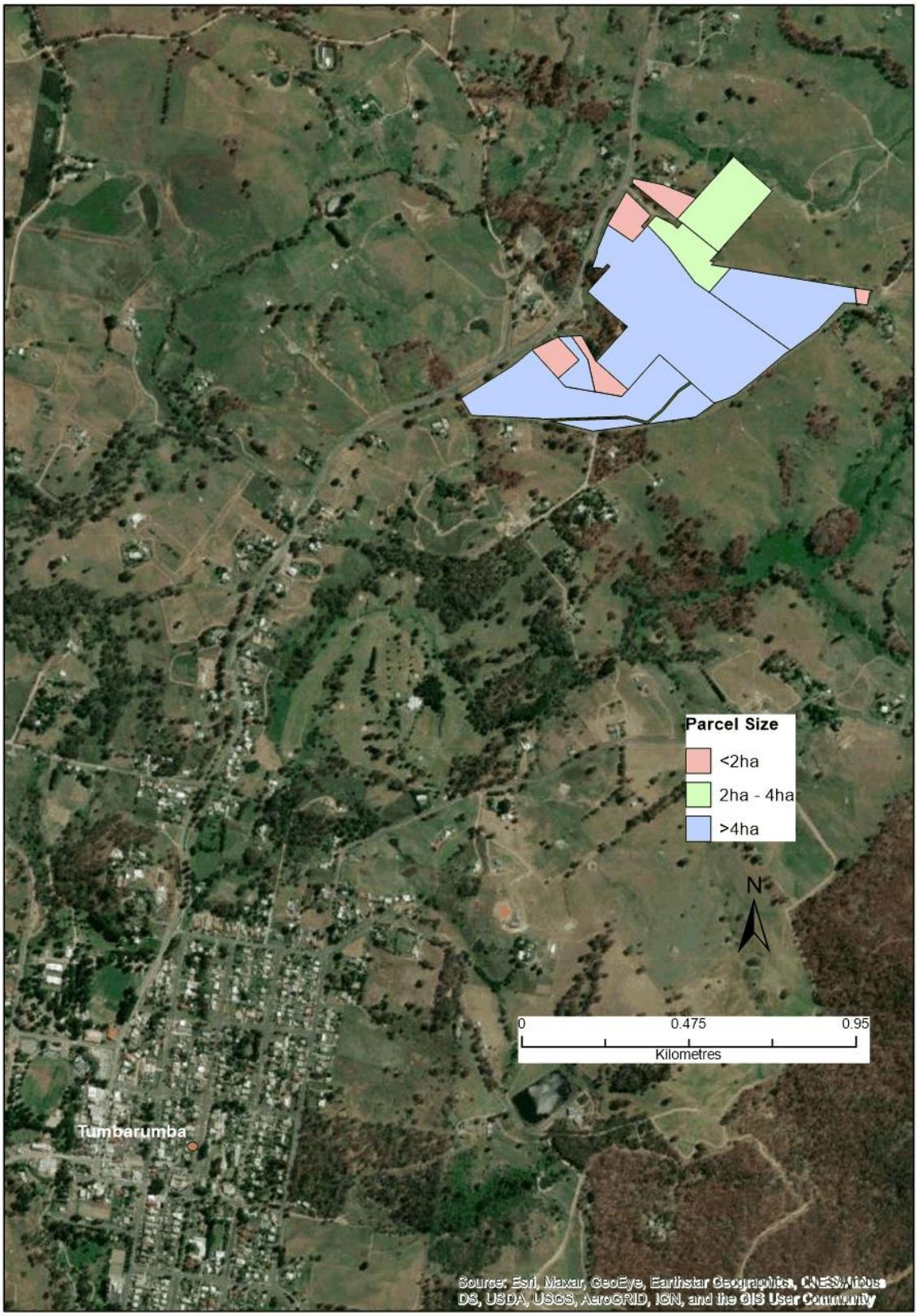

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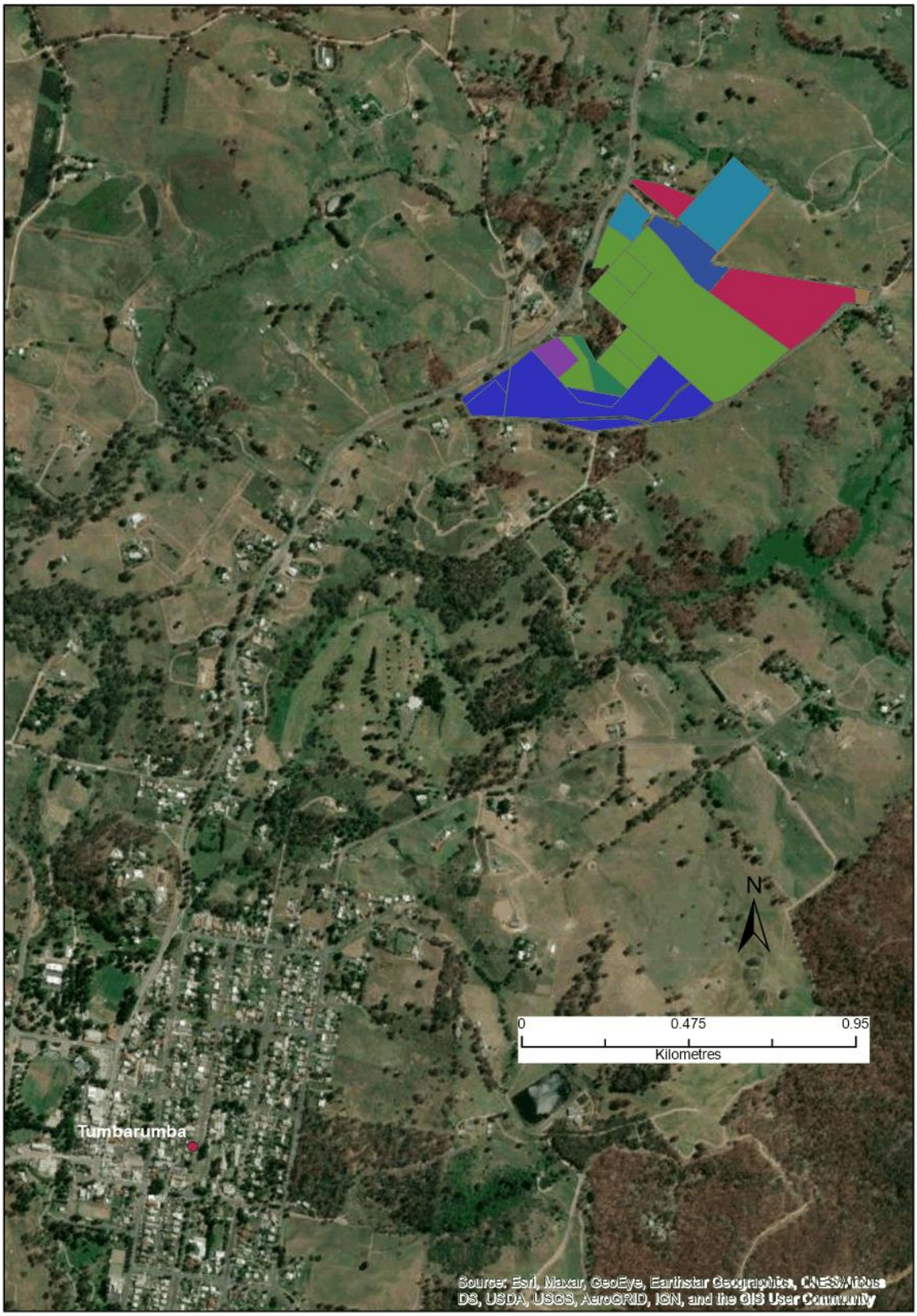

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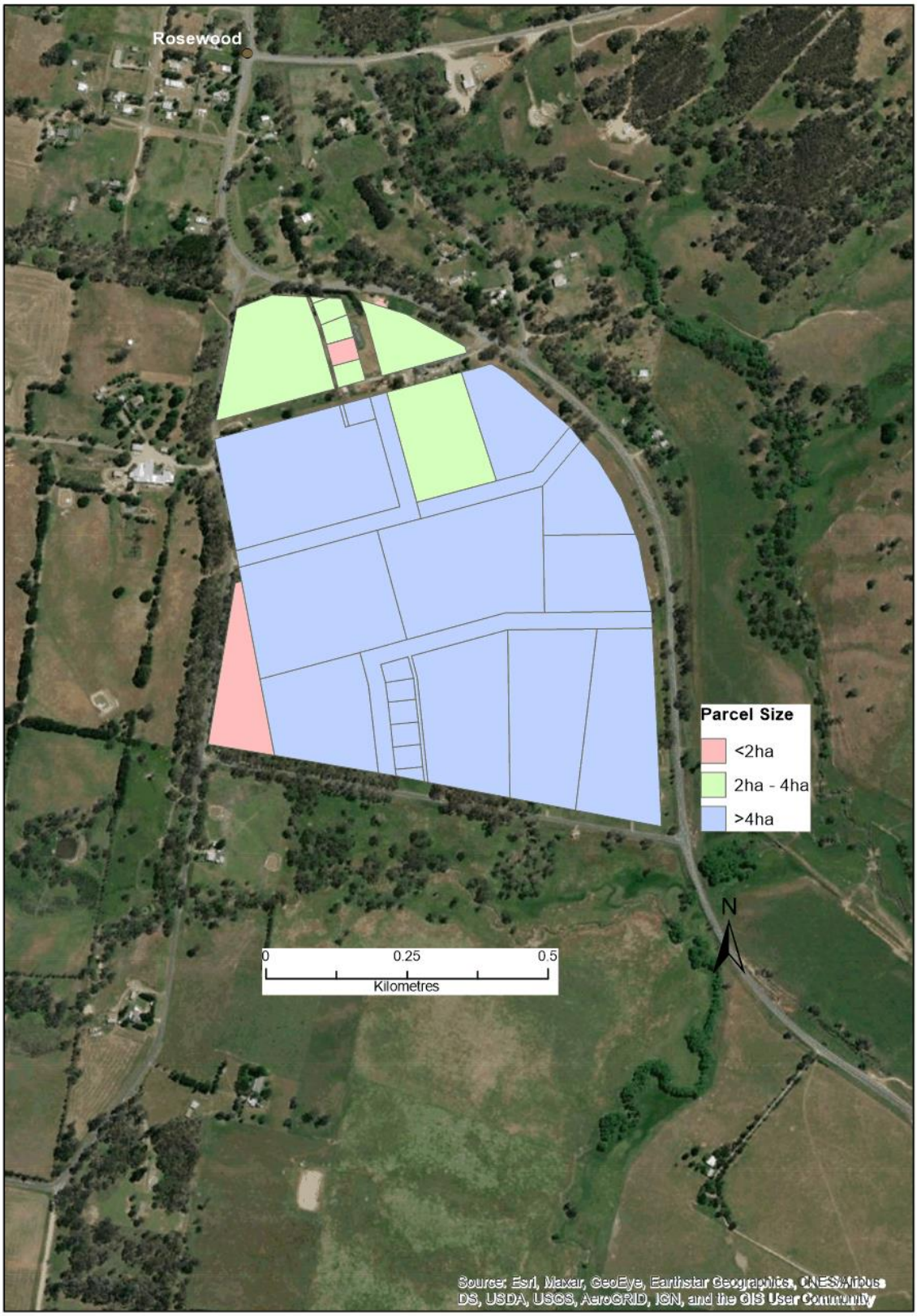

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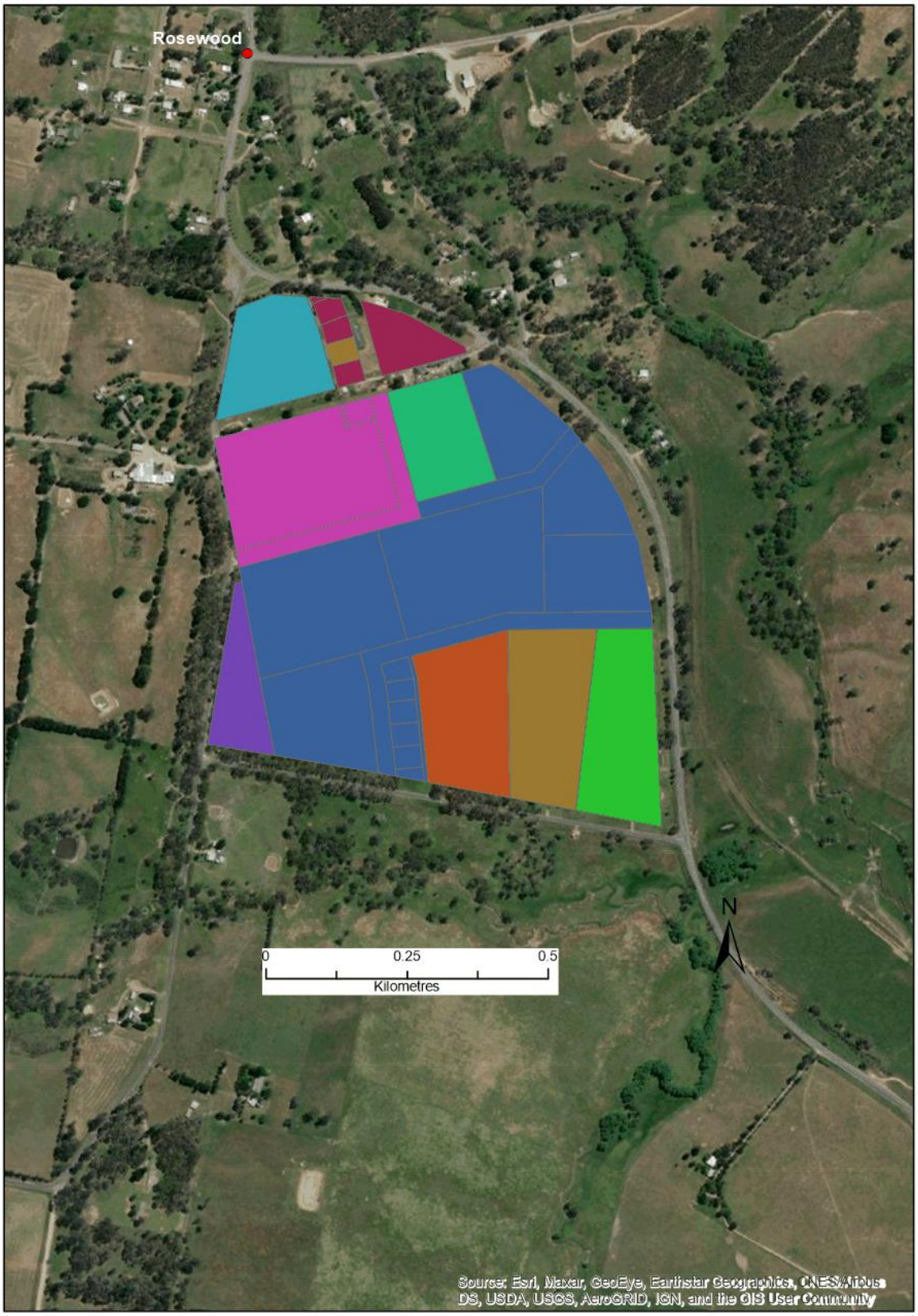

SNOWY VALLEYS COUNCIL
RU4 2HA MLS

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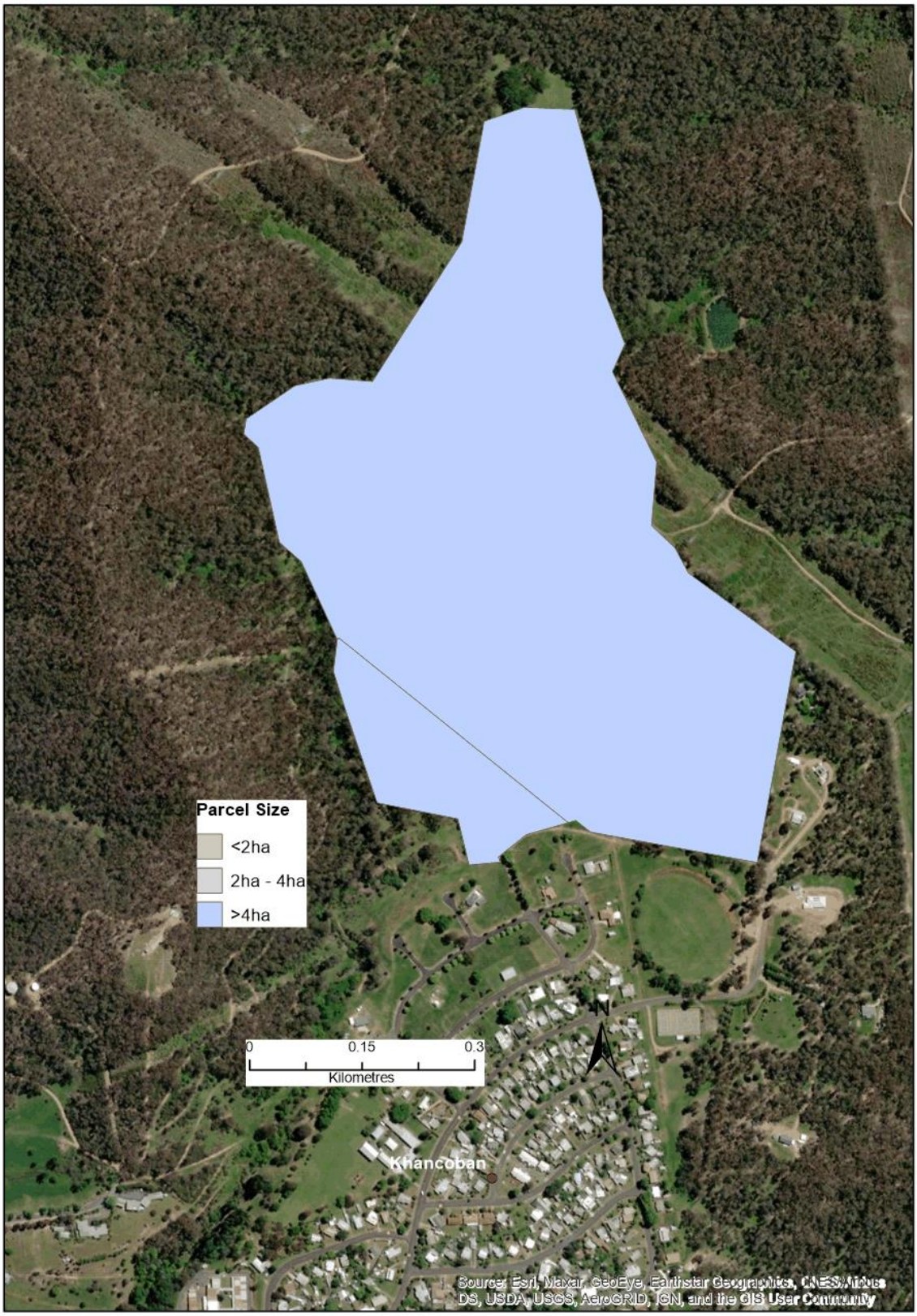

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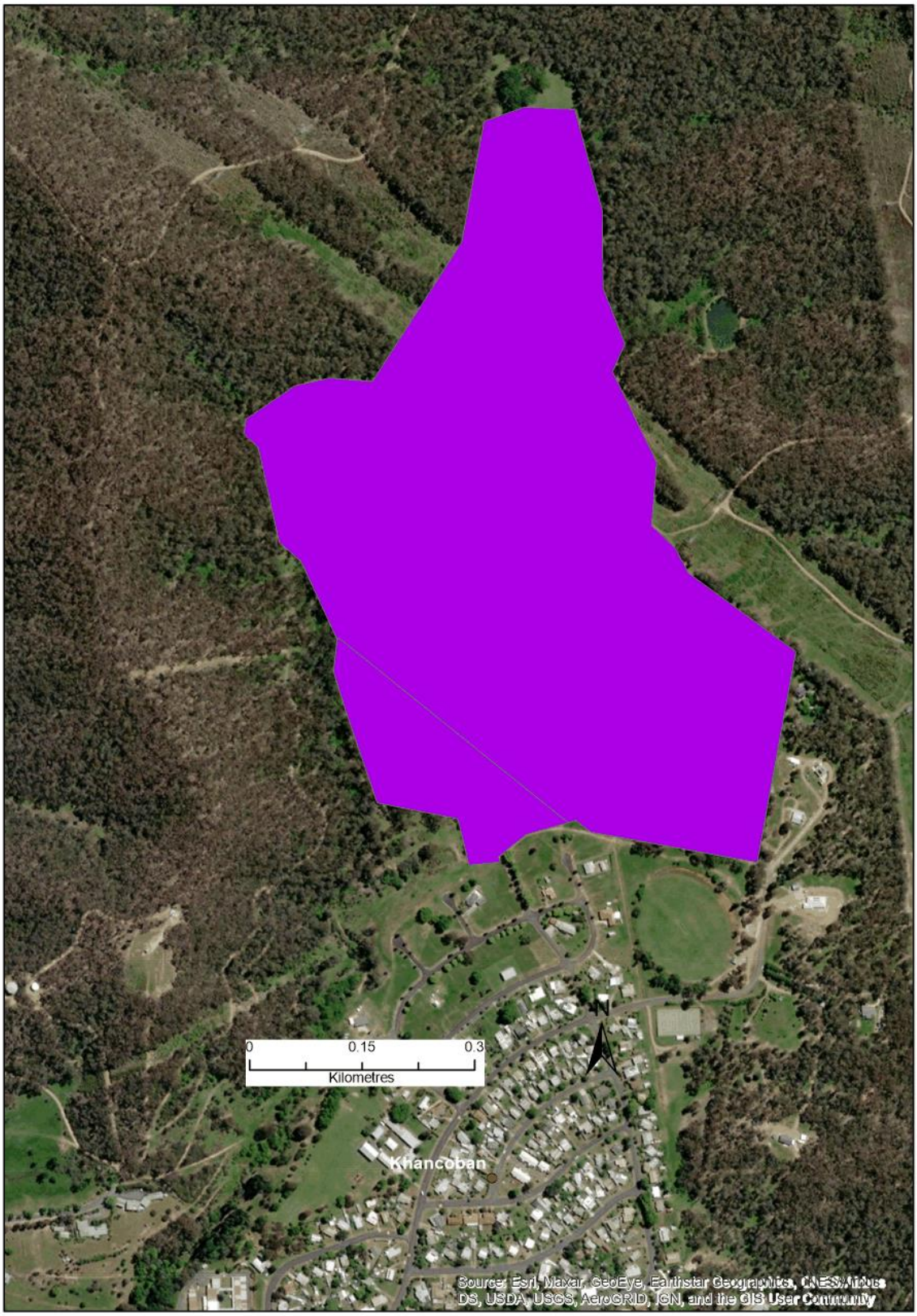

SNOWY VALLEYS COUNCIL
RU4 4HA MLS

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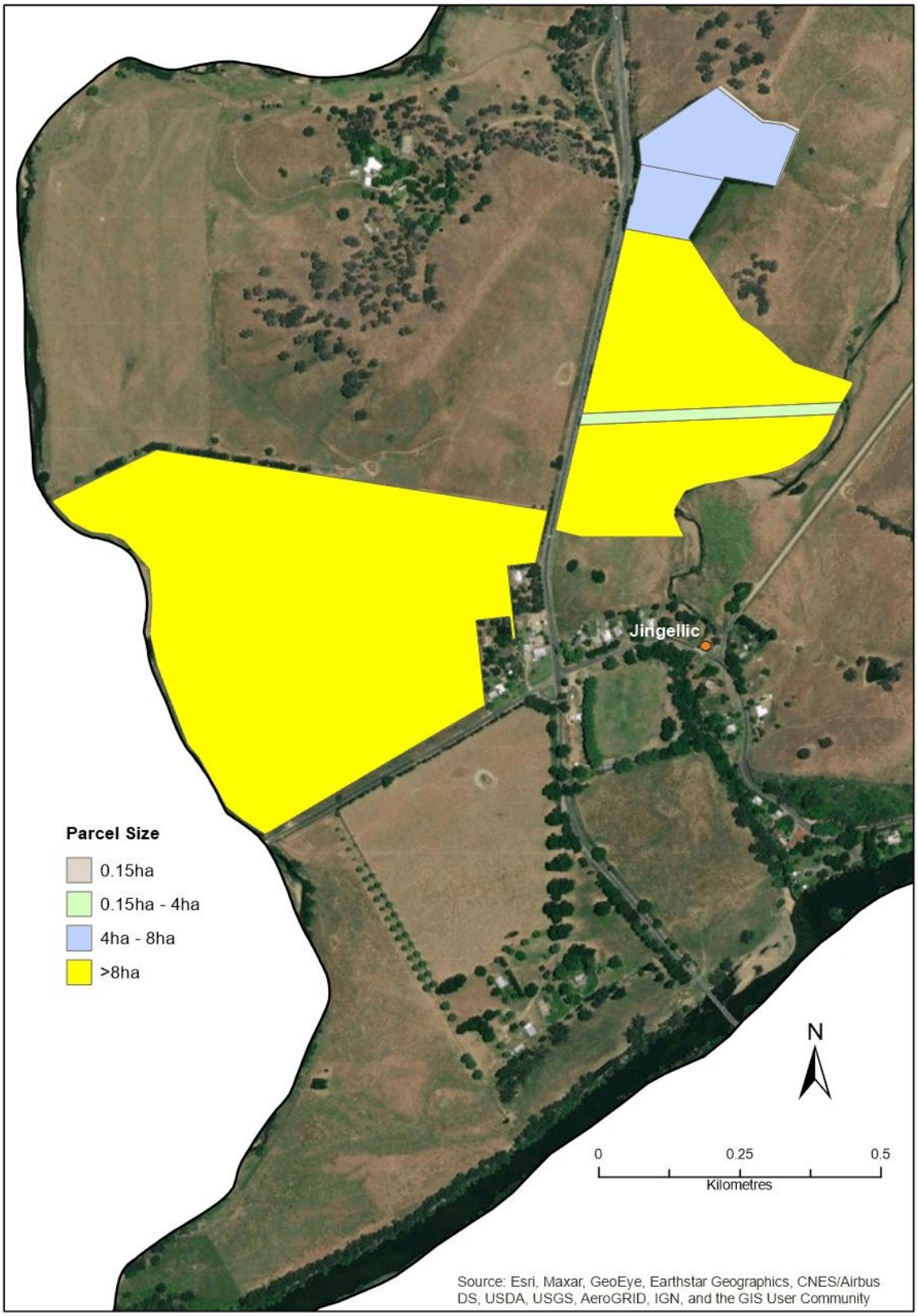

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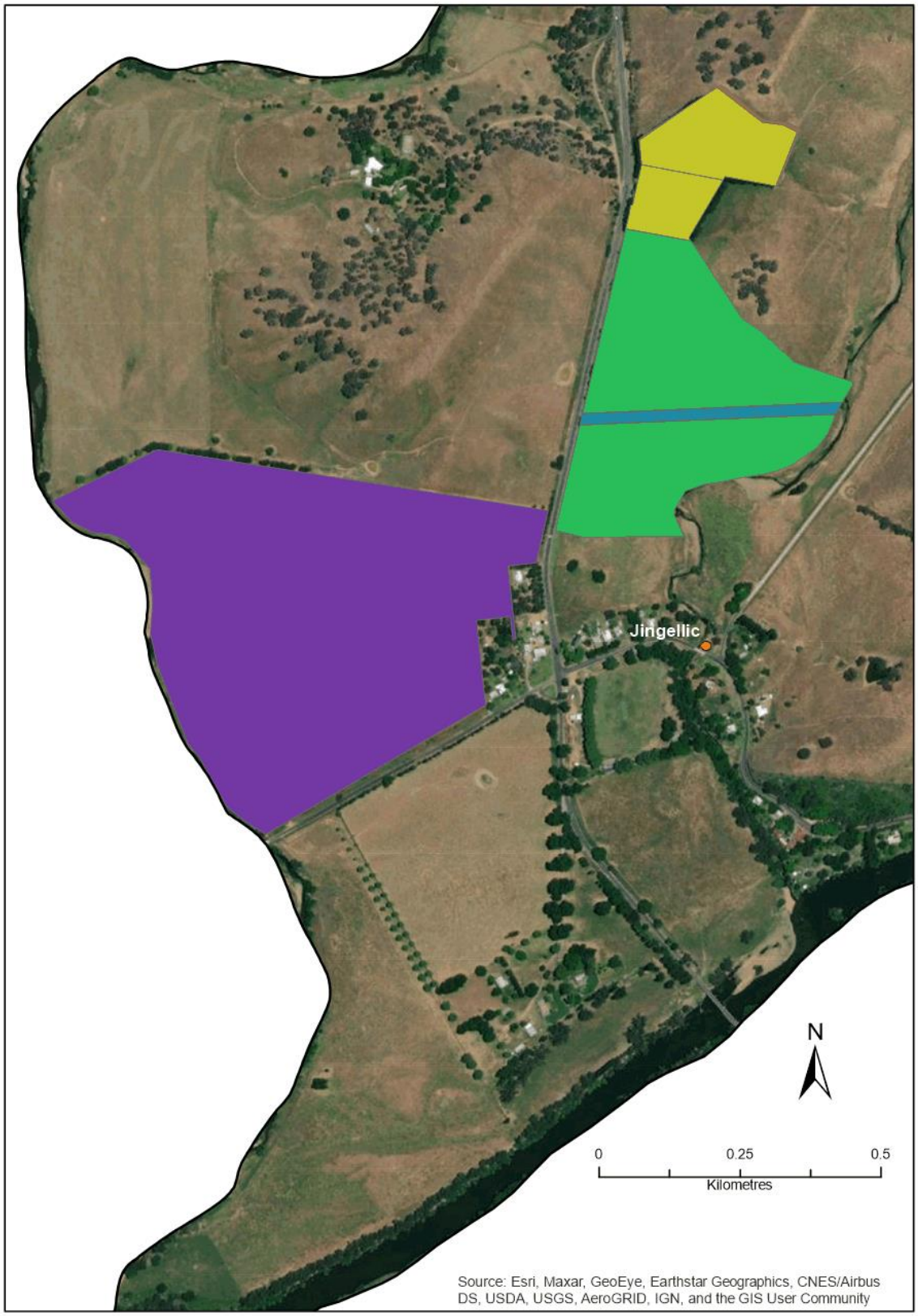

SNOWY VALLEYS COUNCIL
RU4 4HA MLS

Date: 16/09/2021
Project: Snowy Valleys Council - RLS
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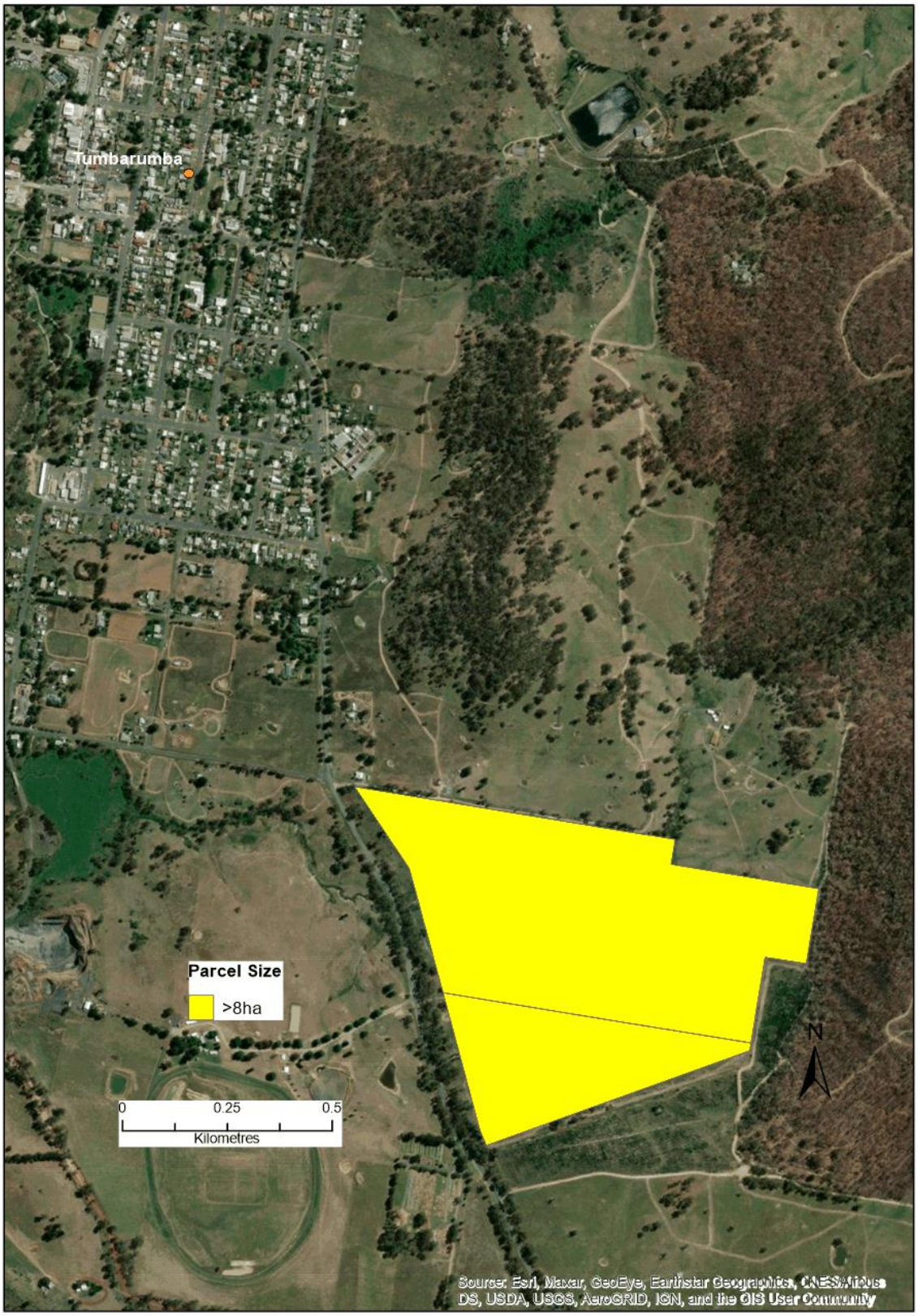

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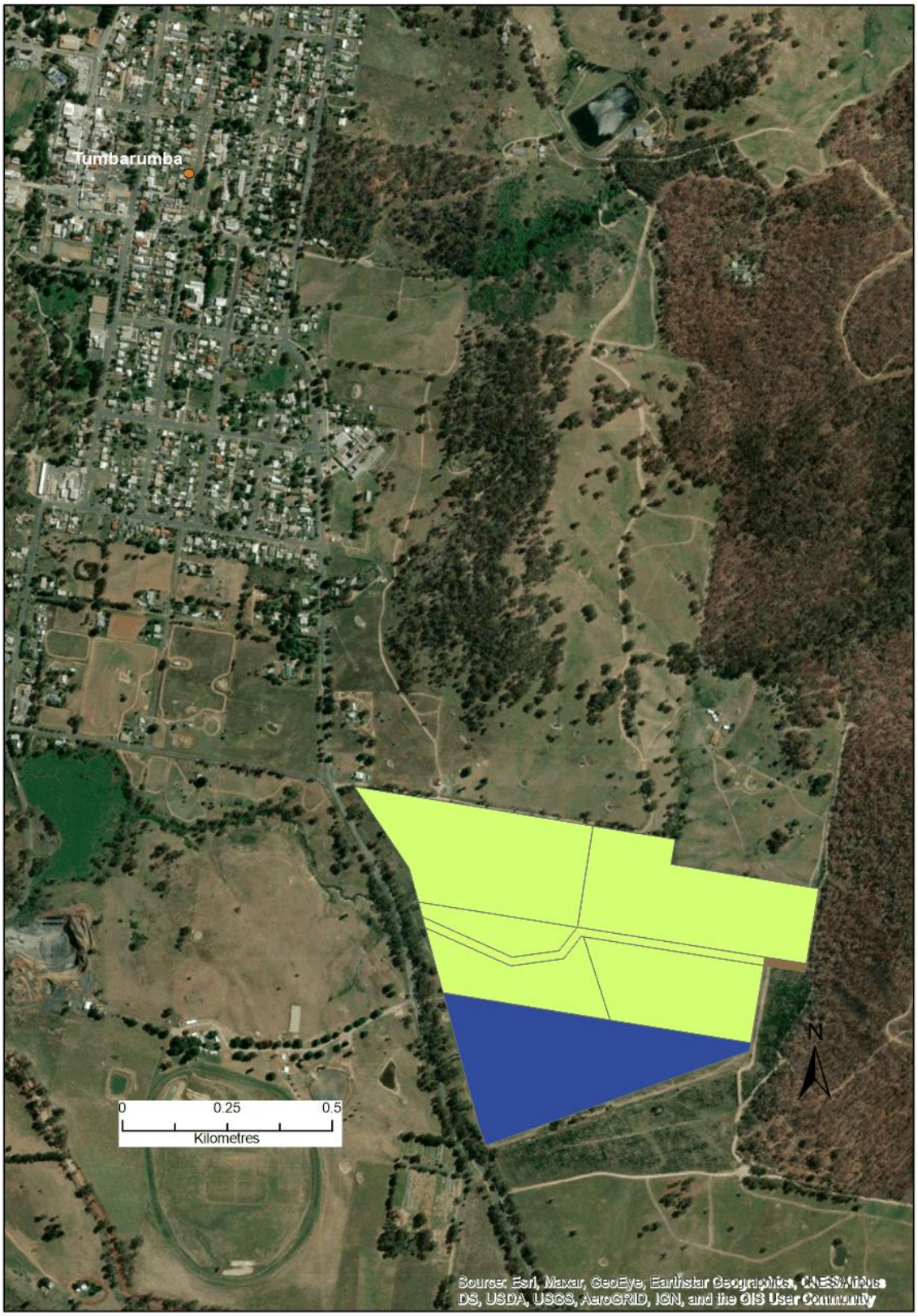

SNOWY VALLEYS COUNCIL
RU4 8HA MLS

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Project: Snowy Valleys Council - RLS
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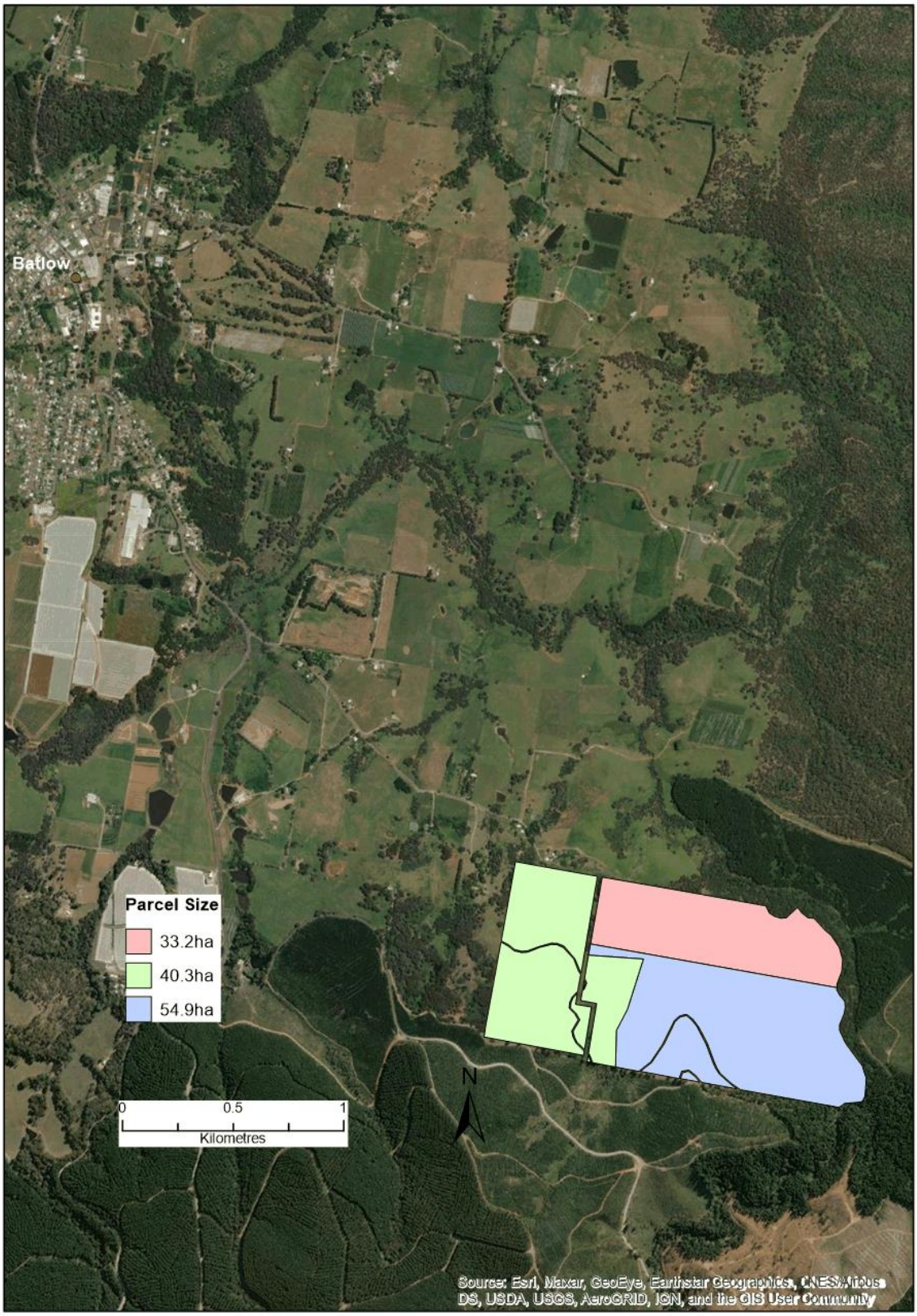

SNOWY VALLEYS COUNCIL LANDHOLDINGS RU4 8HA MLS

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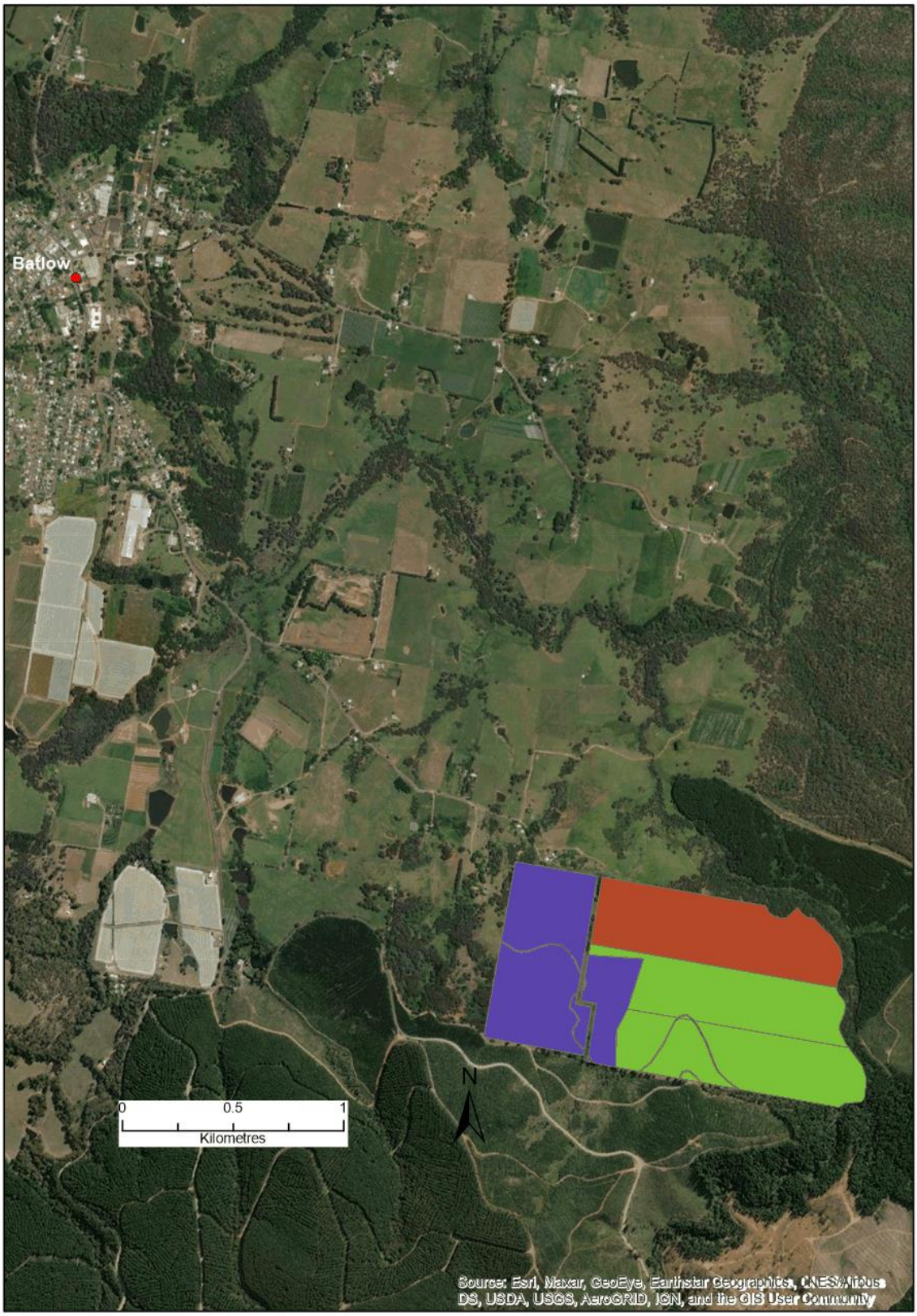

Annexure 6

RU1 Landholdings

SNOWY VALLEYS COUNCIL
RU1 4,500SQM MLS

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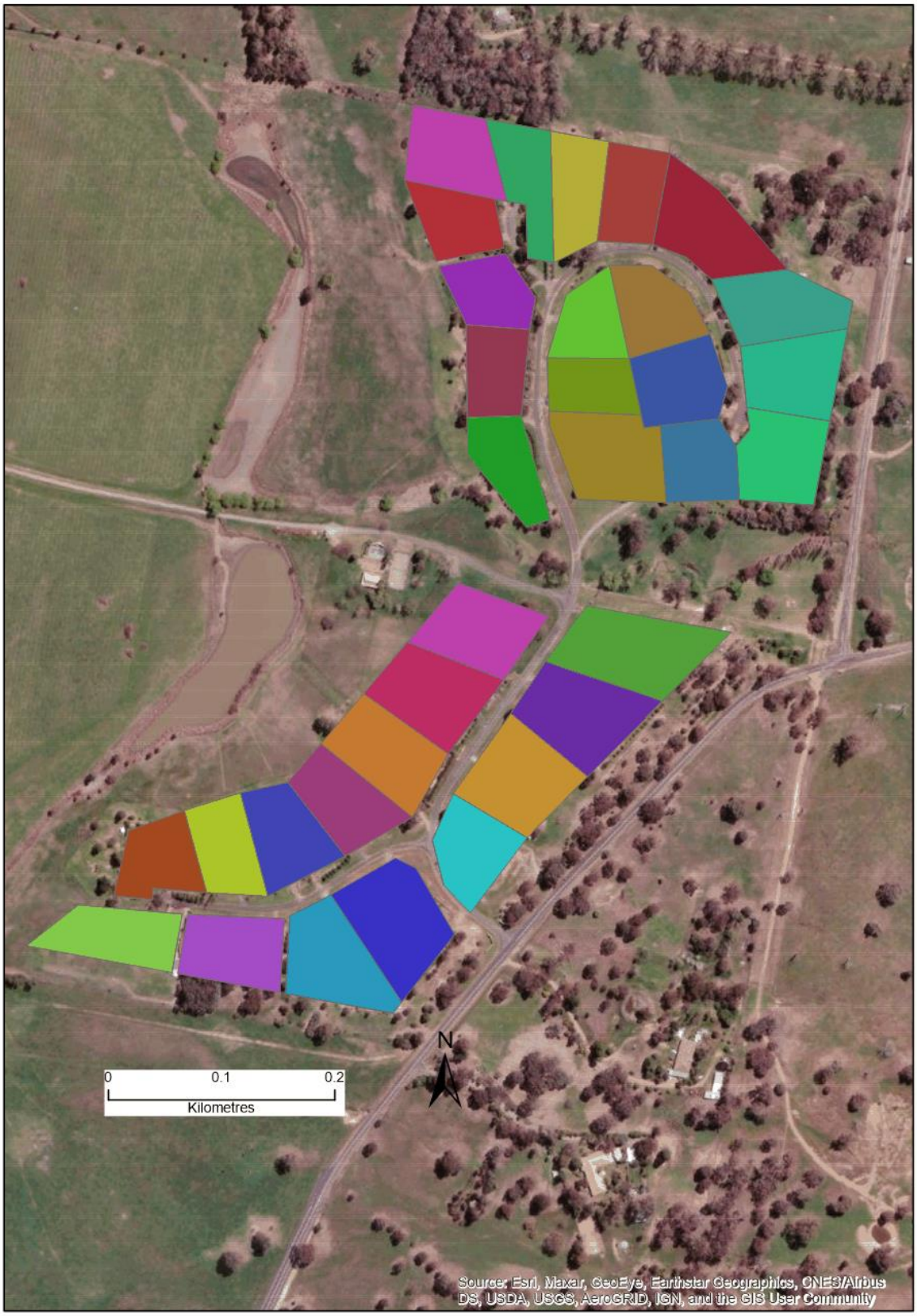

SNOWY VALLEYS COUNCIL
RU1 6HA MLS

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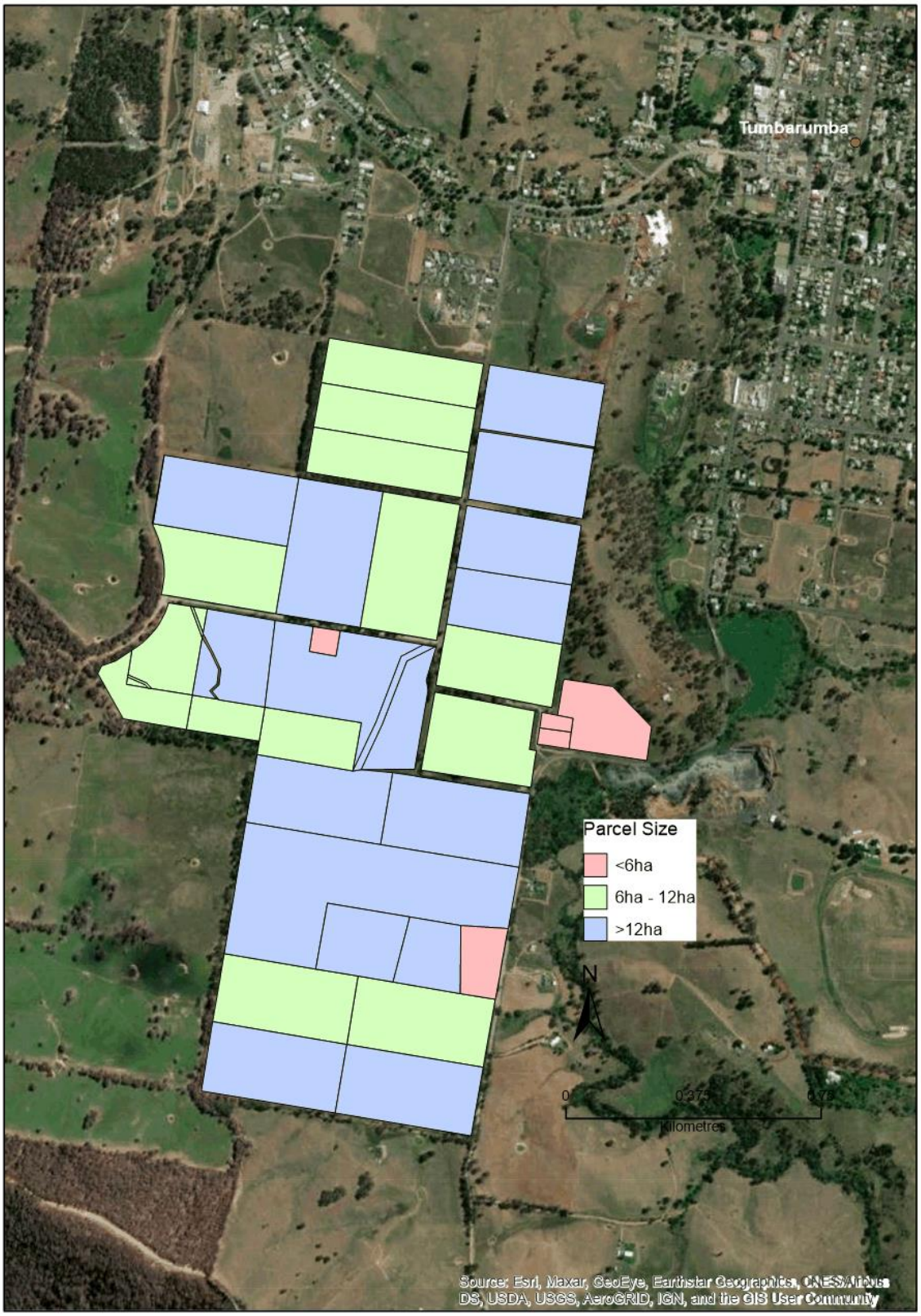

SNOWY VALLEYS COUNCIL
LANDHOLDINGS RU1 6HA MLS

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Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski

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RU1 8HA MLS

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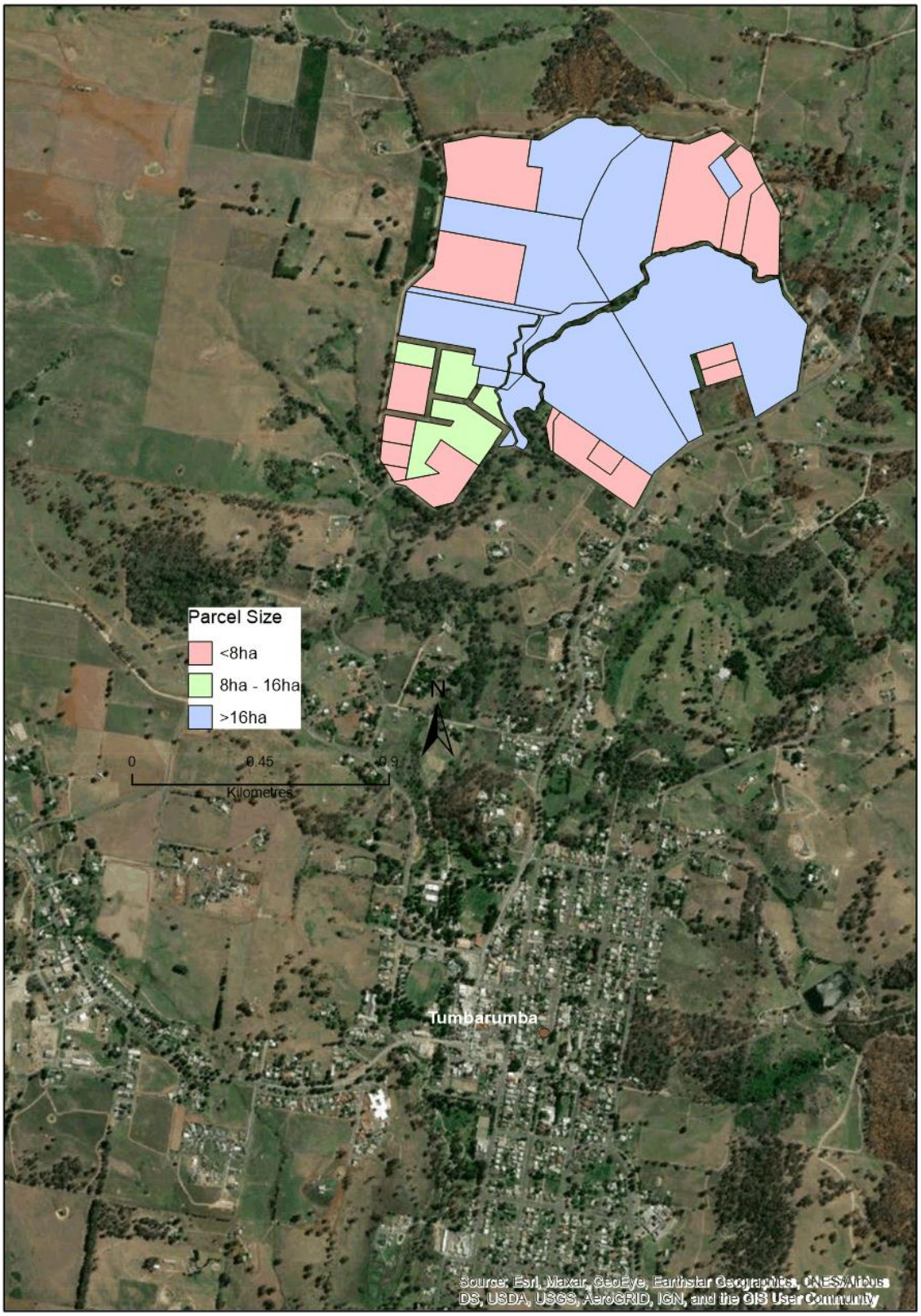

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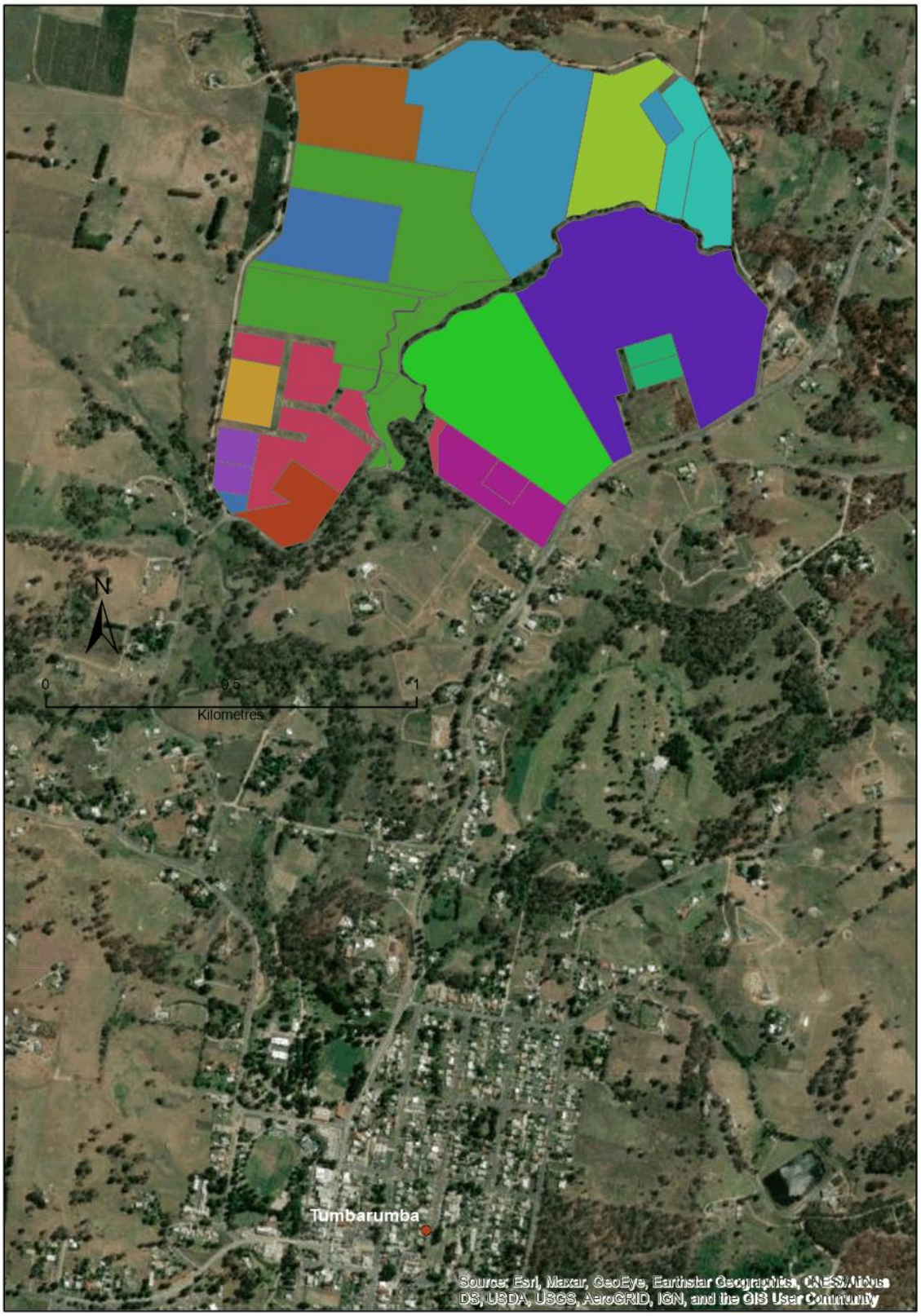

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Date: 17/09/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski

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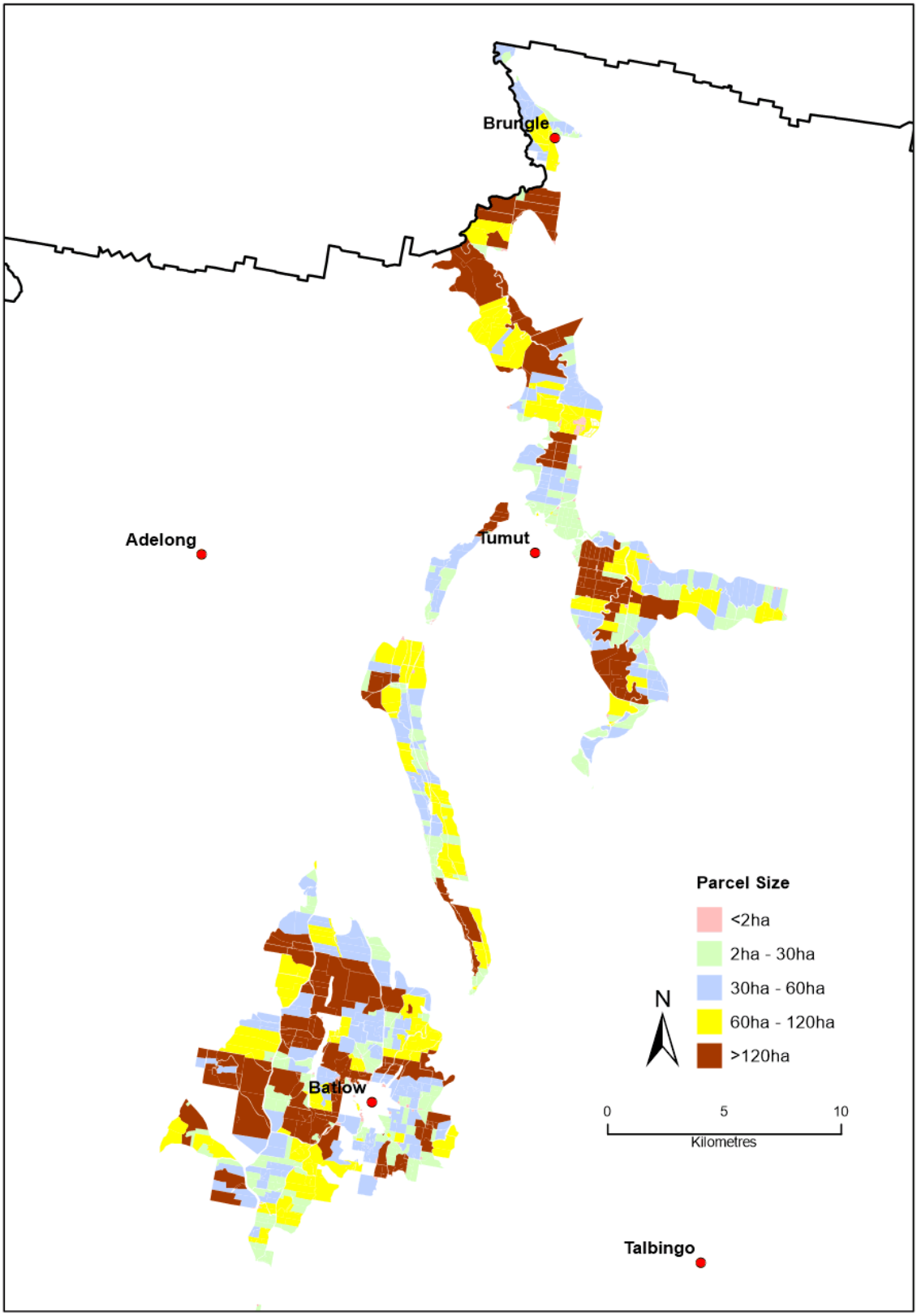

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LANDHOLDINGS RU1 30HA MLS

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Project: Snowy Valleys Council - RLS
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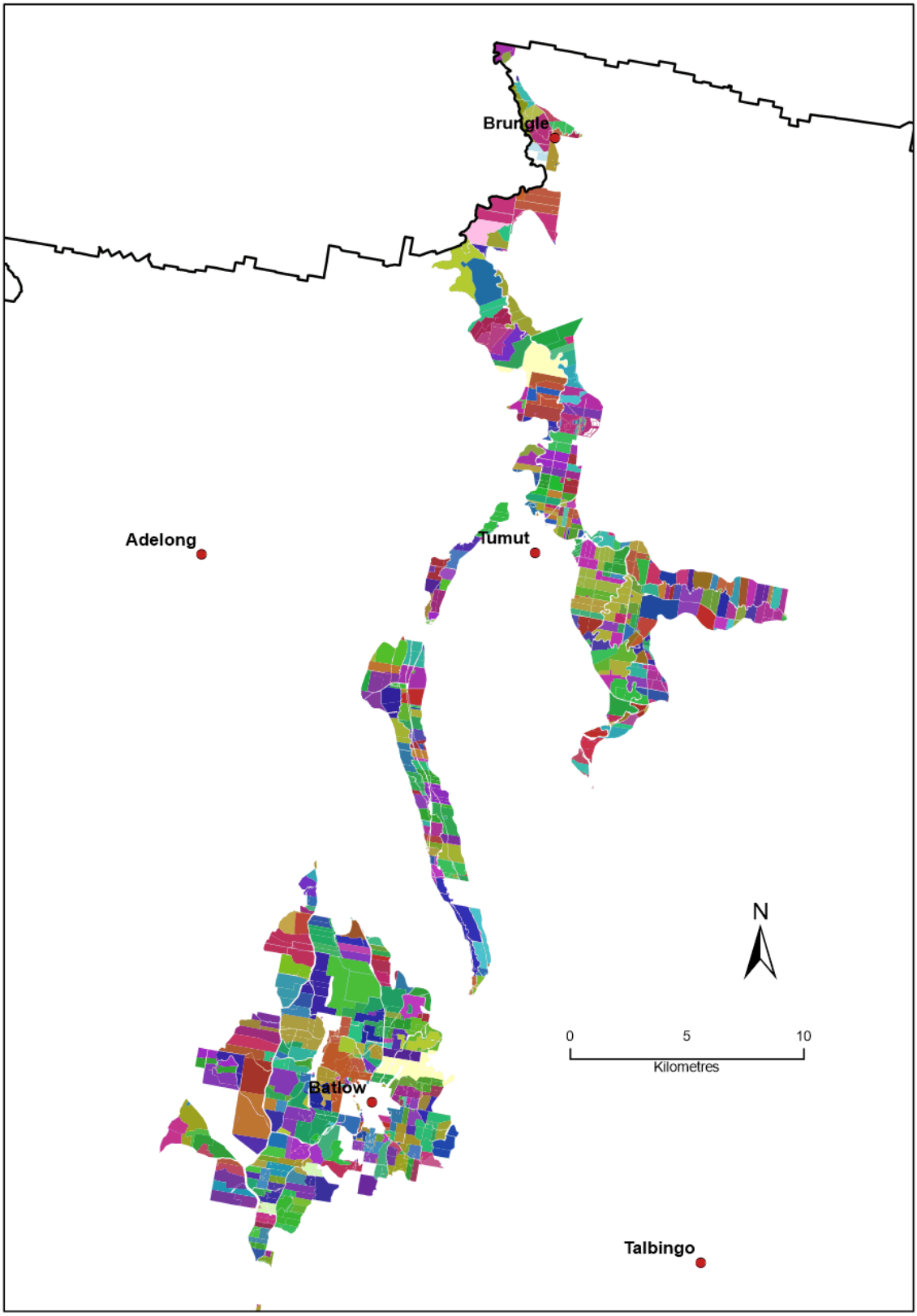

SNOWY VALLEYS COUNCIL
RU1 40HA MLS

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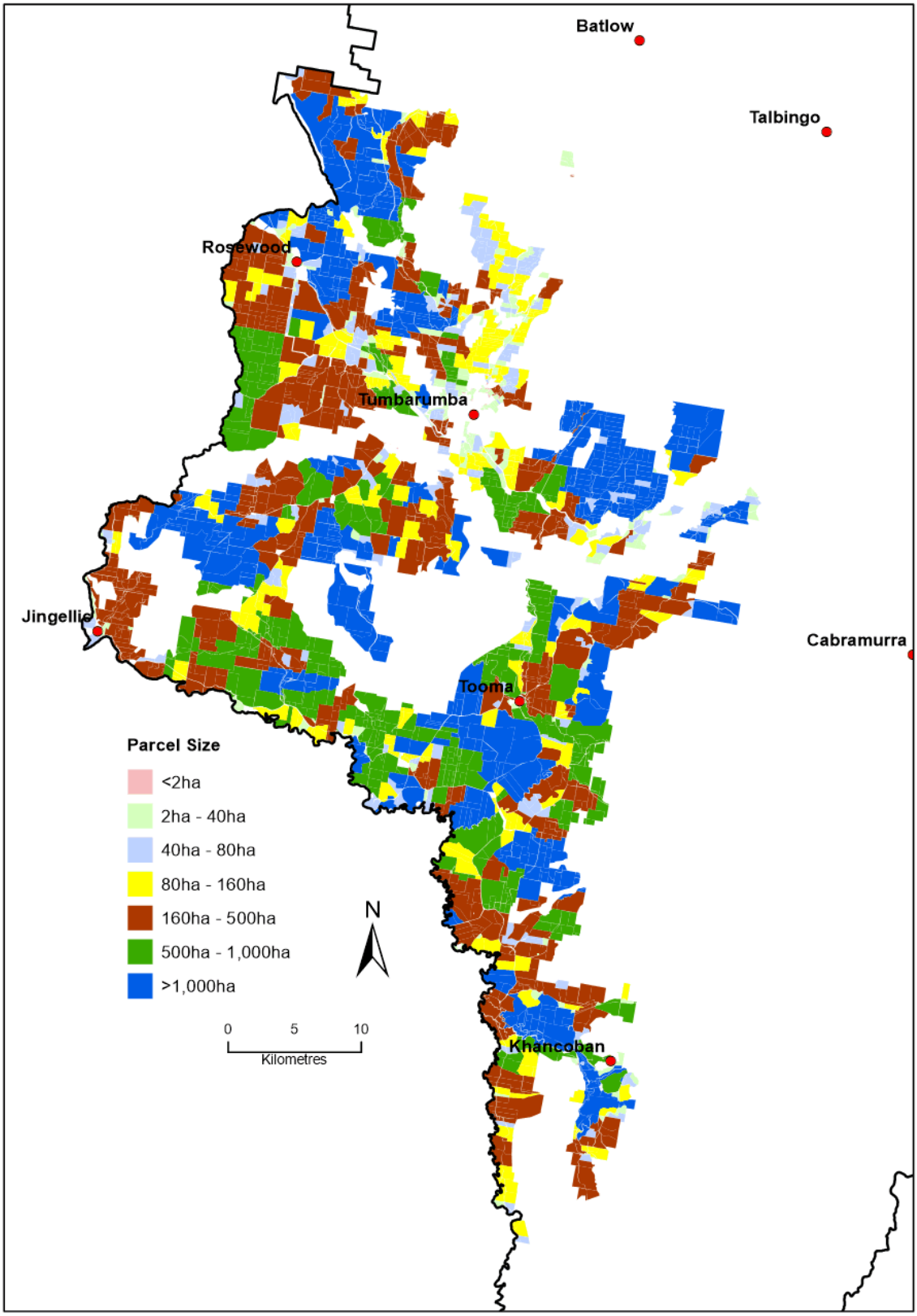

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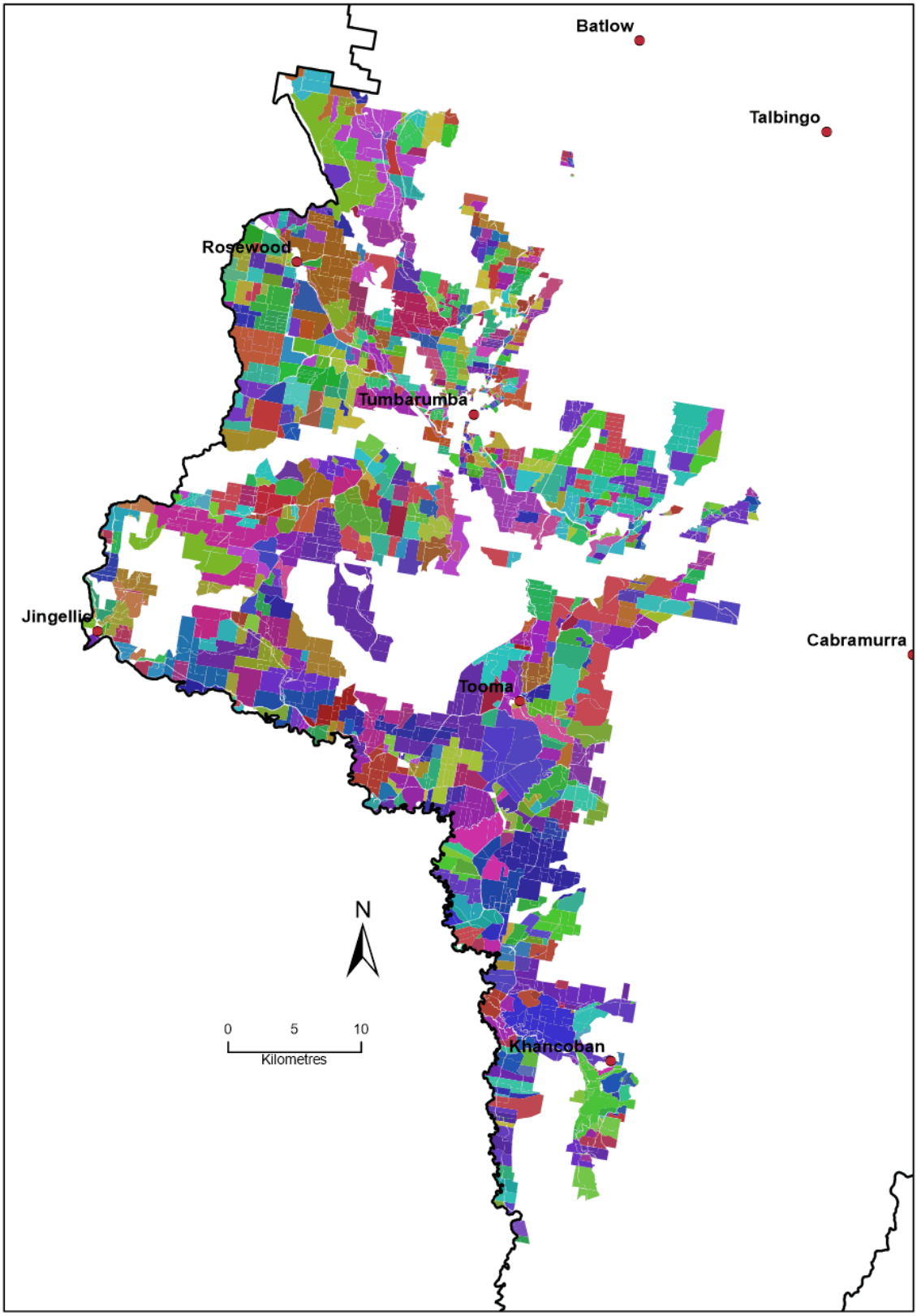

SNOWY VALLEYS COUNCIL
RU1 80HA MLS

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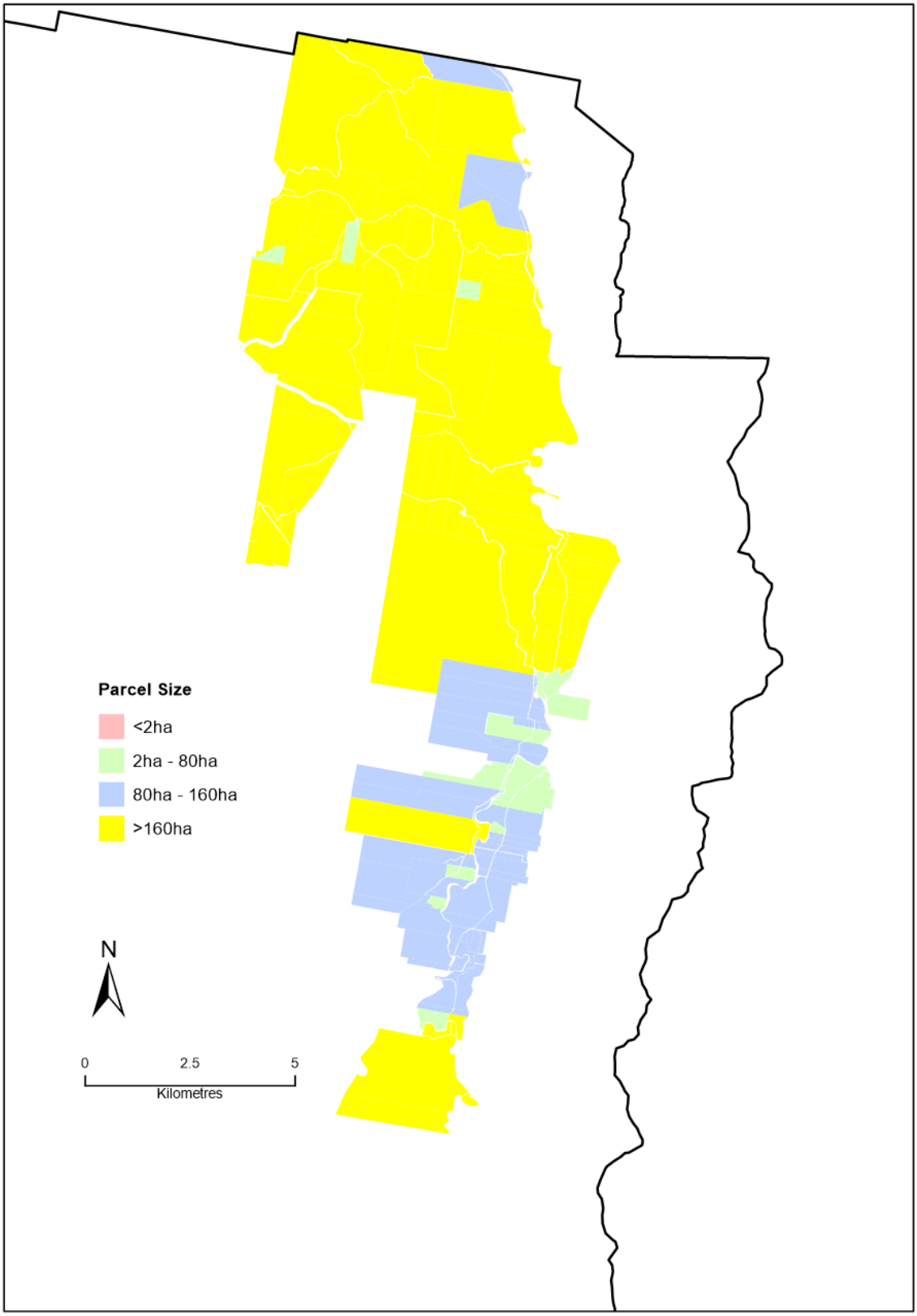

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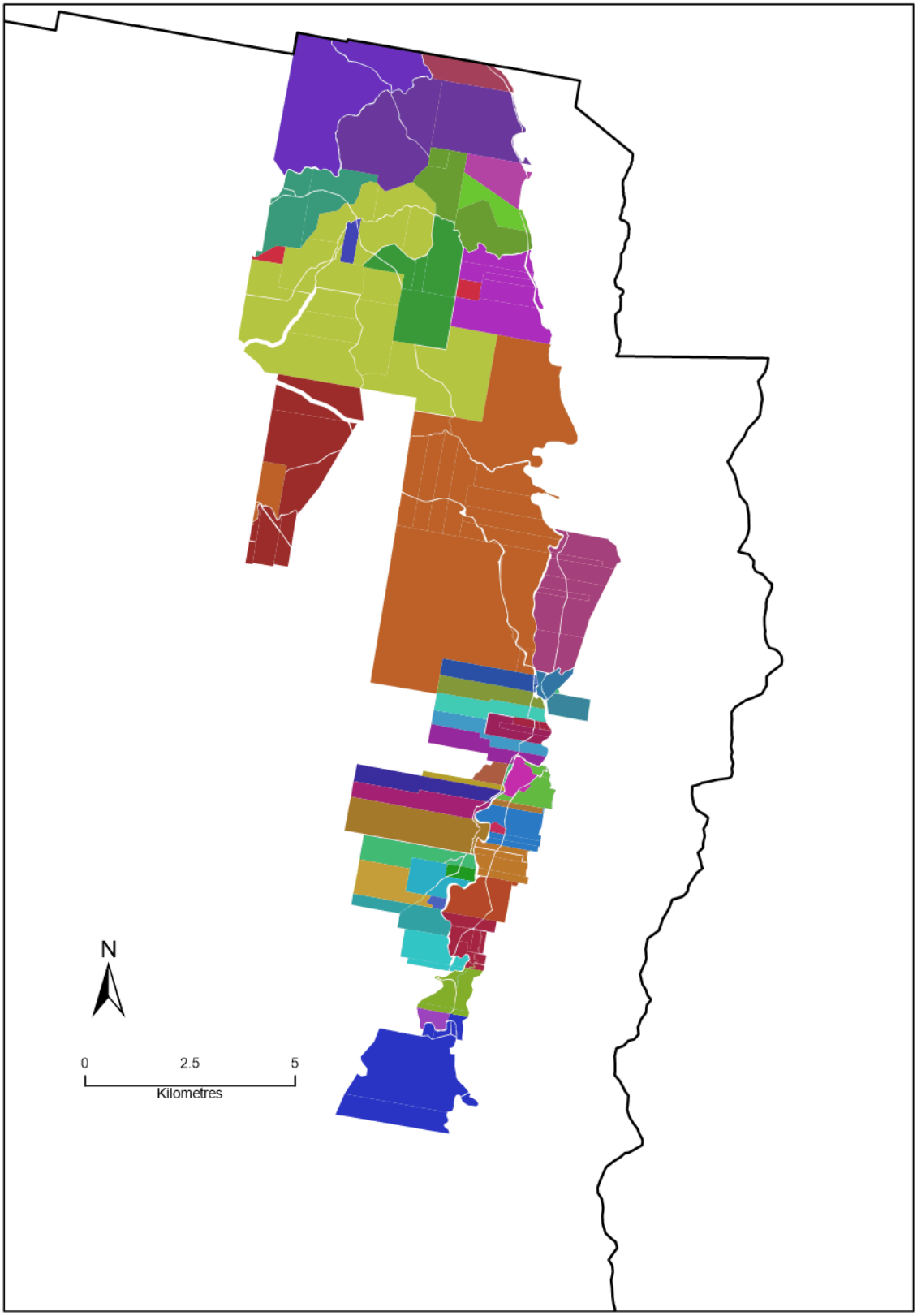

SNOWY VALLEYS COUNCIL
RU1 150HA MLS

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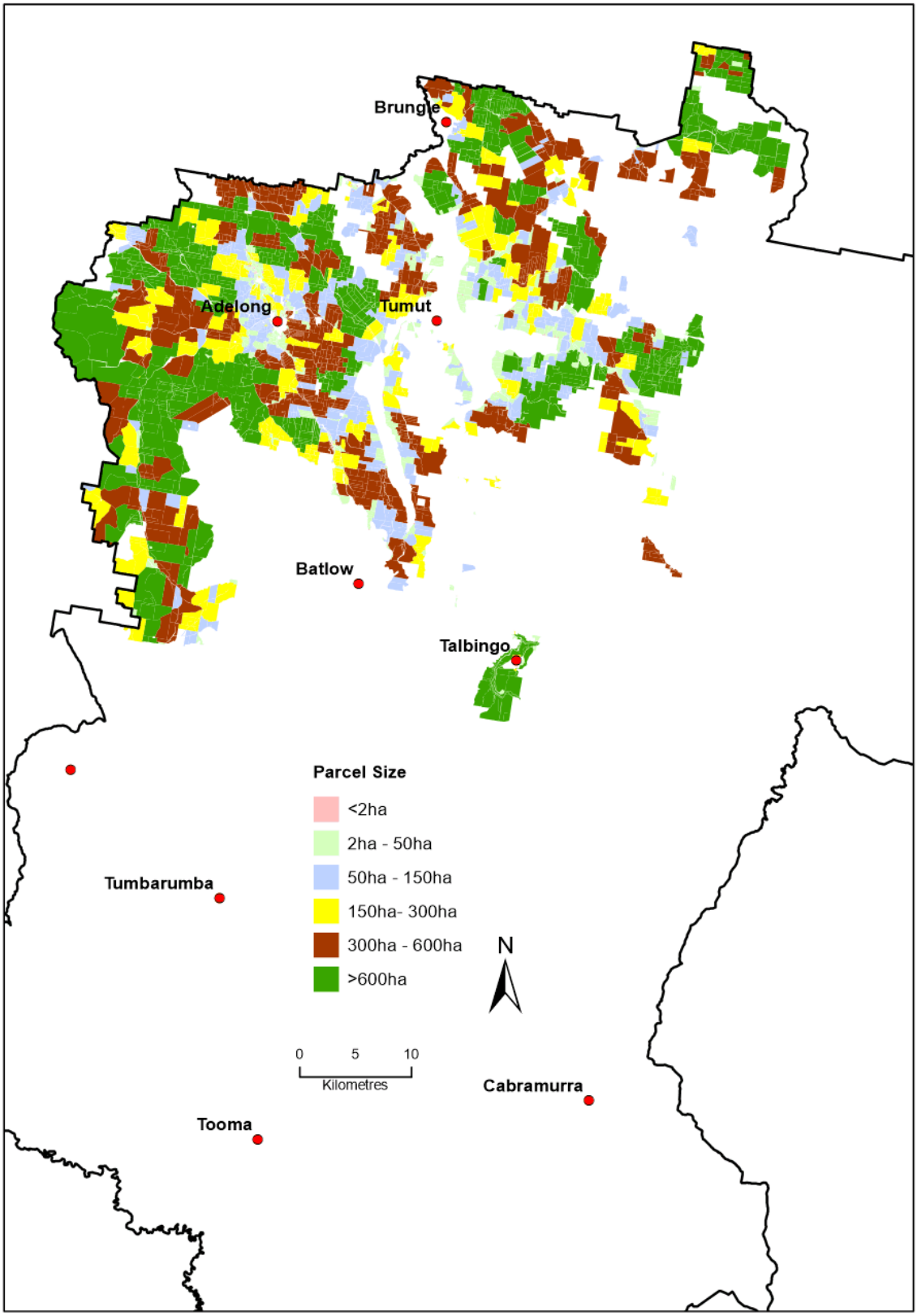

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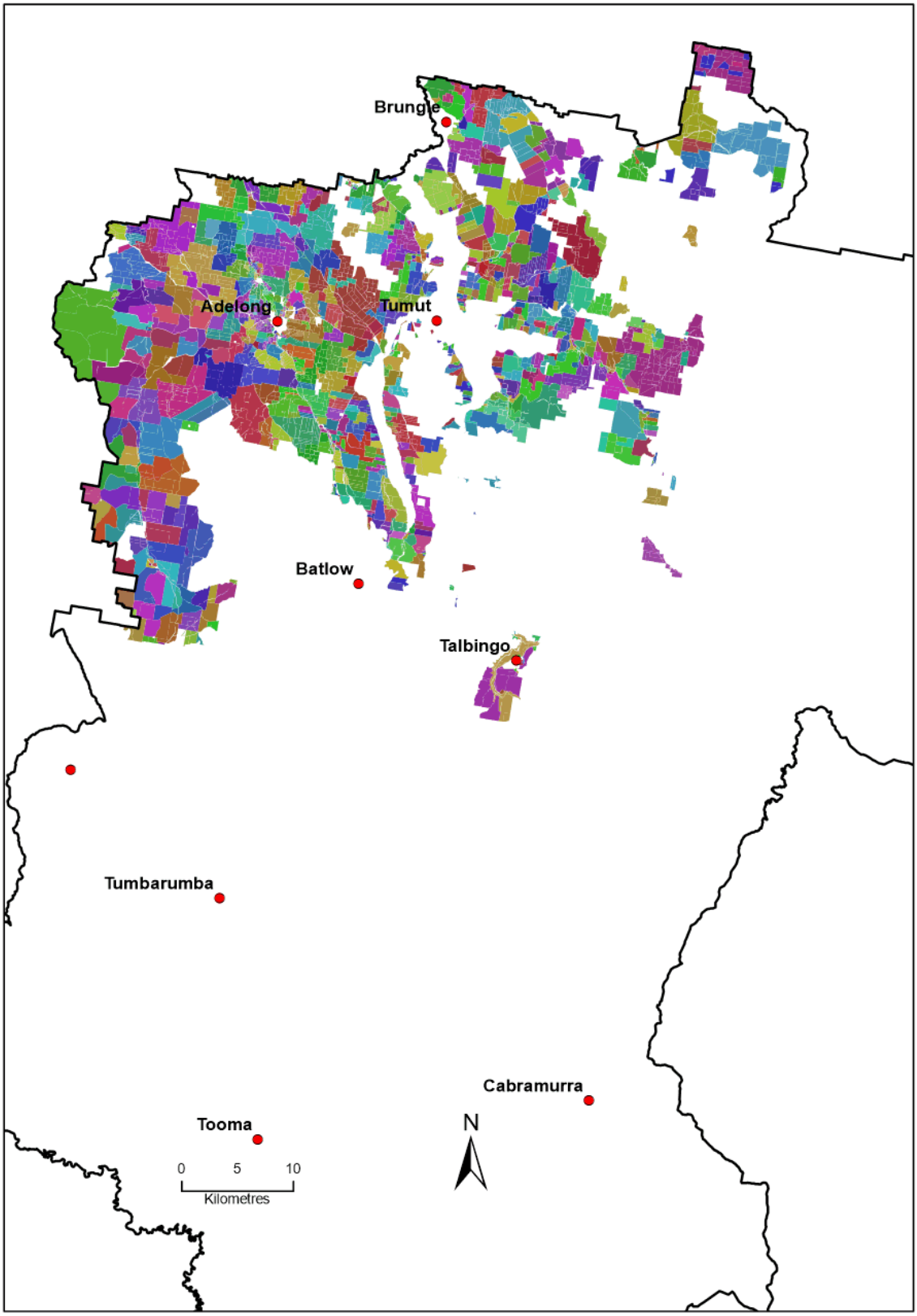

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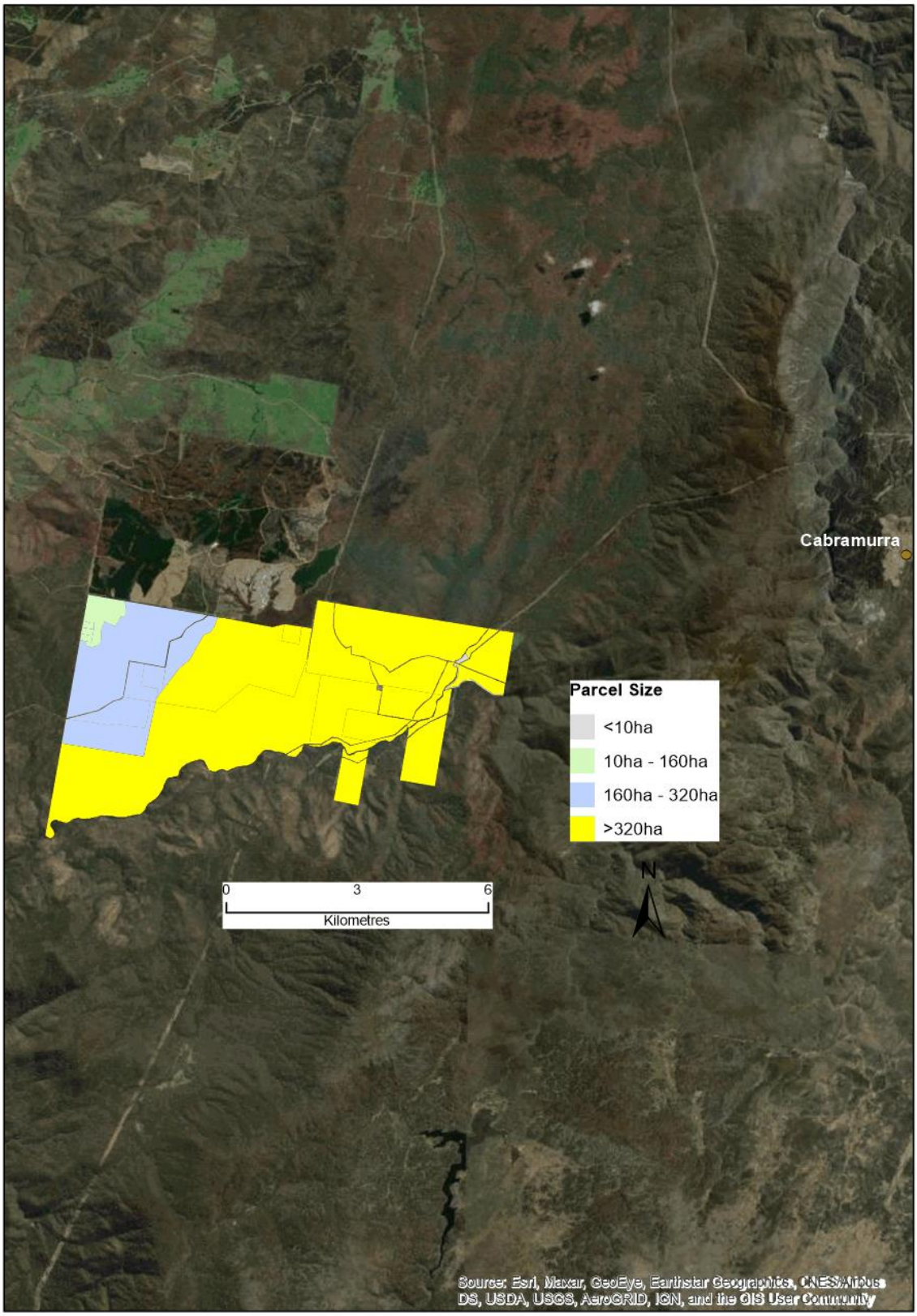

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LANDHOLDINGS RU1
160HA MLS

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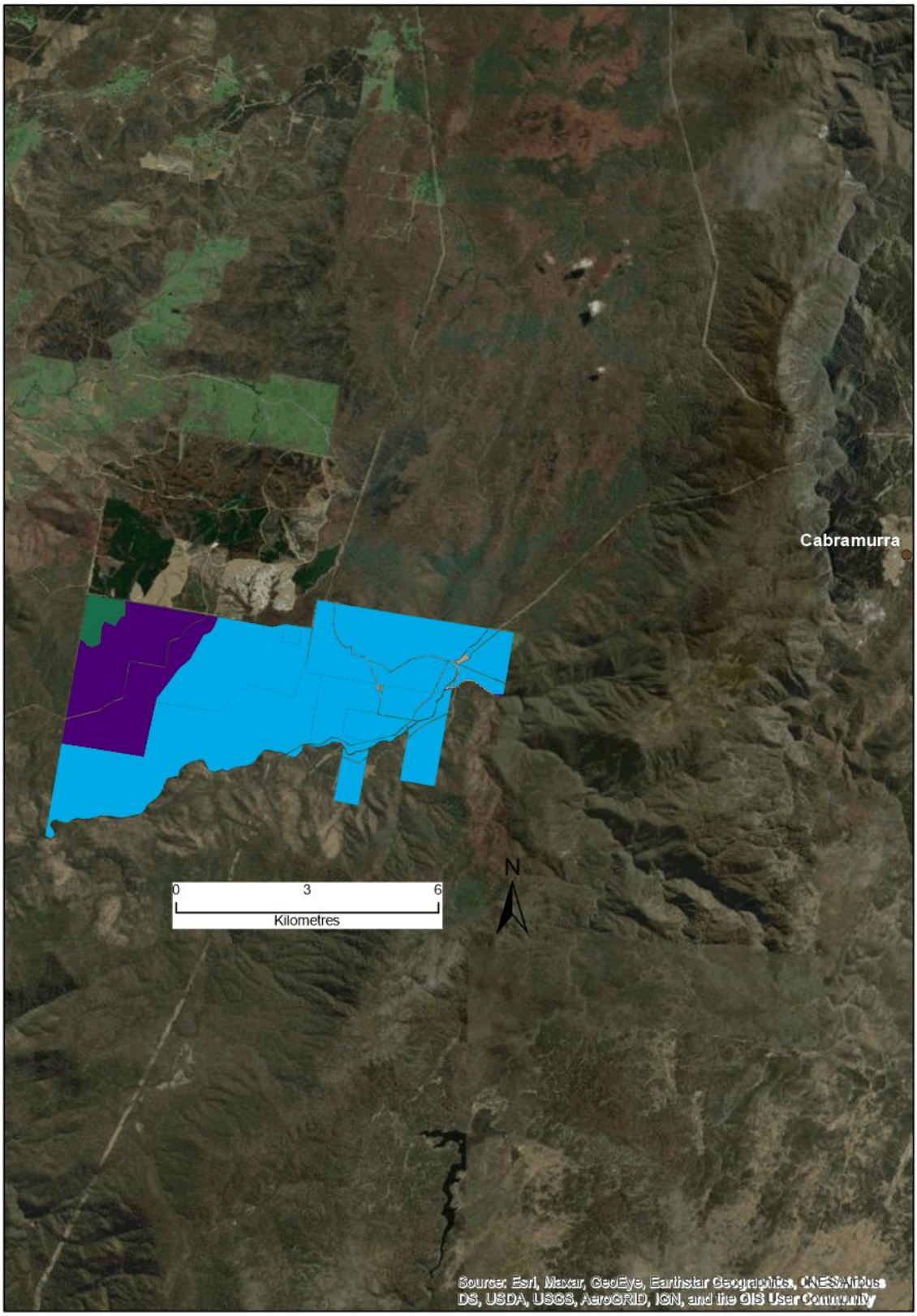

SNOWY VALLEYS COUNCIL
RU1 ZONE PARCEL SIZE

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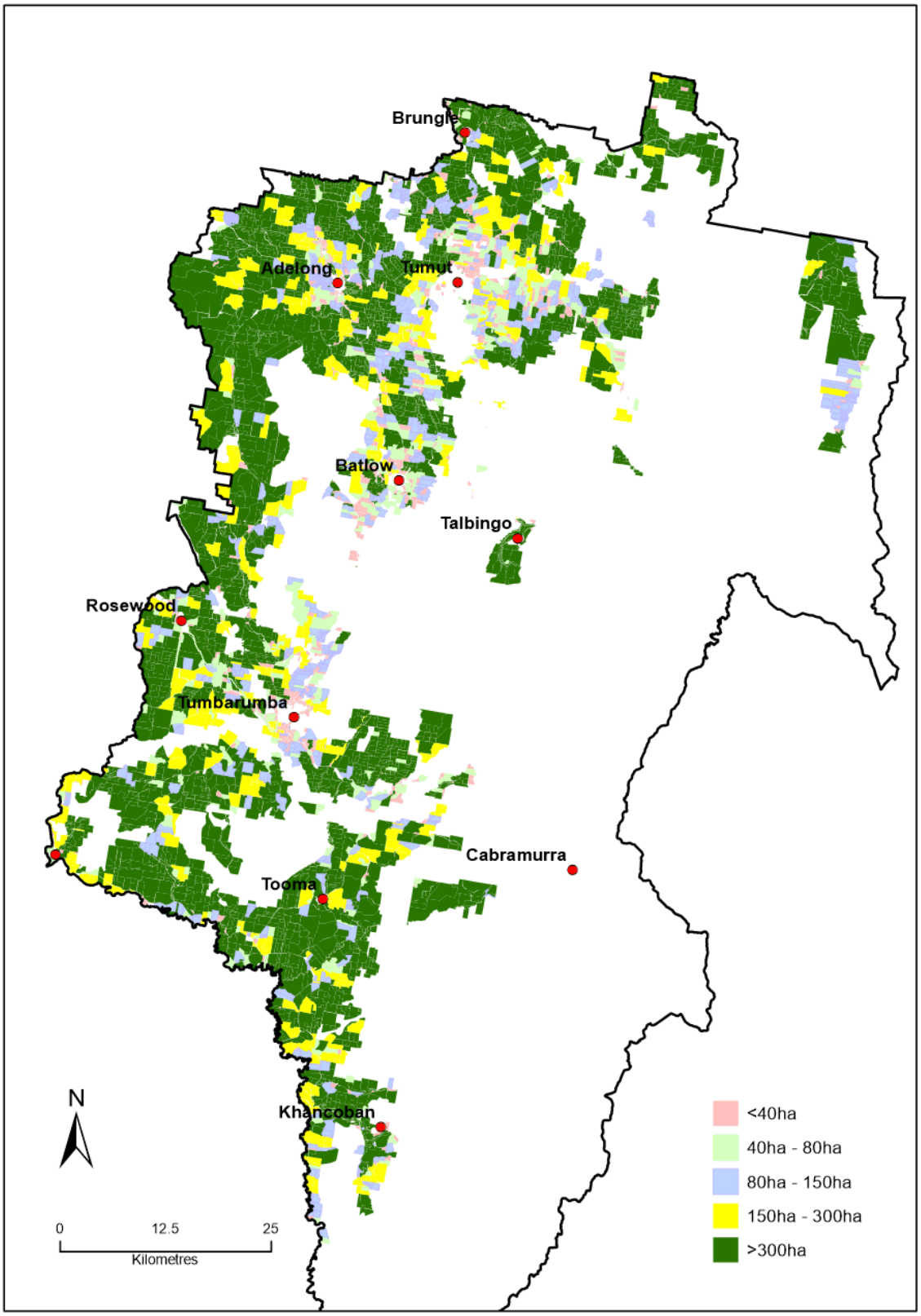

SNOWY VALLEYS COUNCIL
RU1 ZONE CADASTRE

Date: 25/08/2021
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Created By: GIS Administrator - J Kajewski

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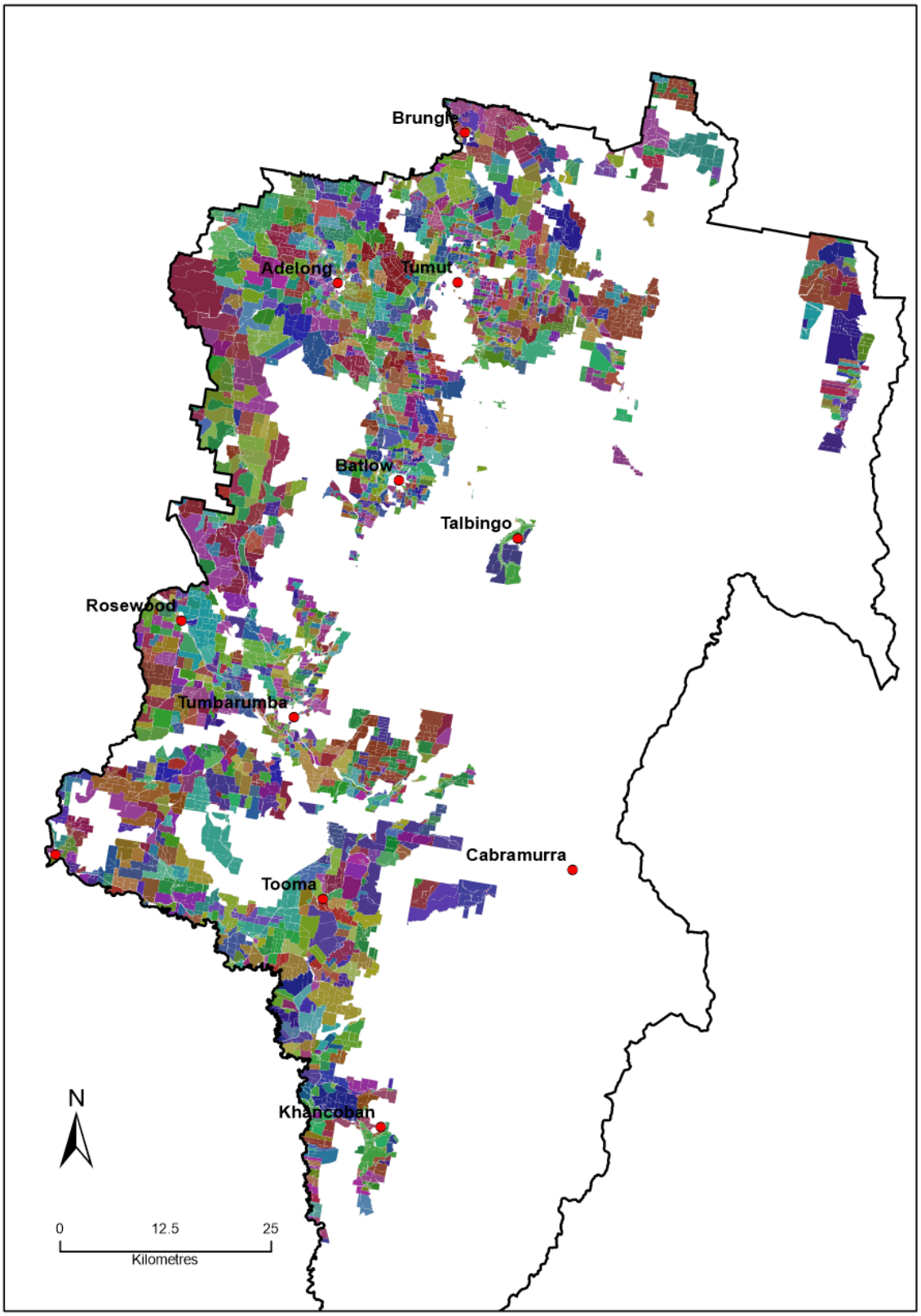

Annexure 7

RU4 Images

SNOWY VALLEYS COUNCIL
RU4 TUMBARUMBA

Date: 04/05/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski

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SNOWY VALLEYS COUNCIL
RU4 ROSEWOOD

Date: 04/05/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski

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SNOWY VALLEYS COUNCIL
RU4 JINGELLIC

Date: 04/05/2021
Project: Snowy Valleys Council - RLS
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SNOWY VALLEYS COUNCIL
RU4 KHANCOBAN

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SNOWY VALLEYS COUNCIL
RU4 BATLOW

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Annexure 8

Minimum Lot Size Maps

SNOWY VALLEYS COUNCIL
RU1 MLS & LSC 3 4

Date: 12/05/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski

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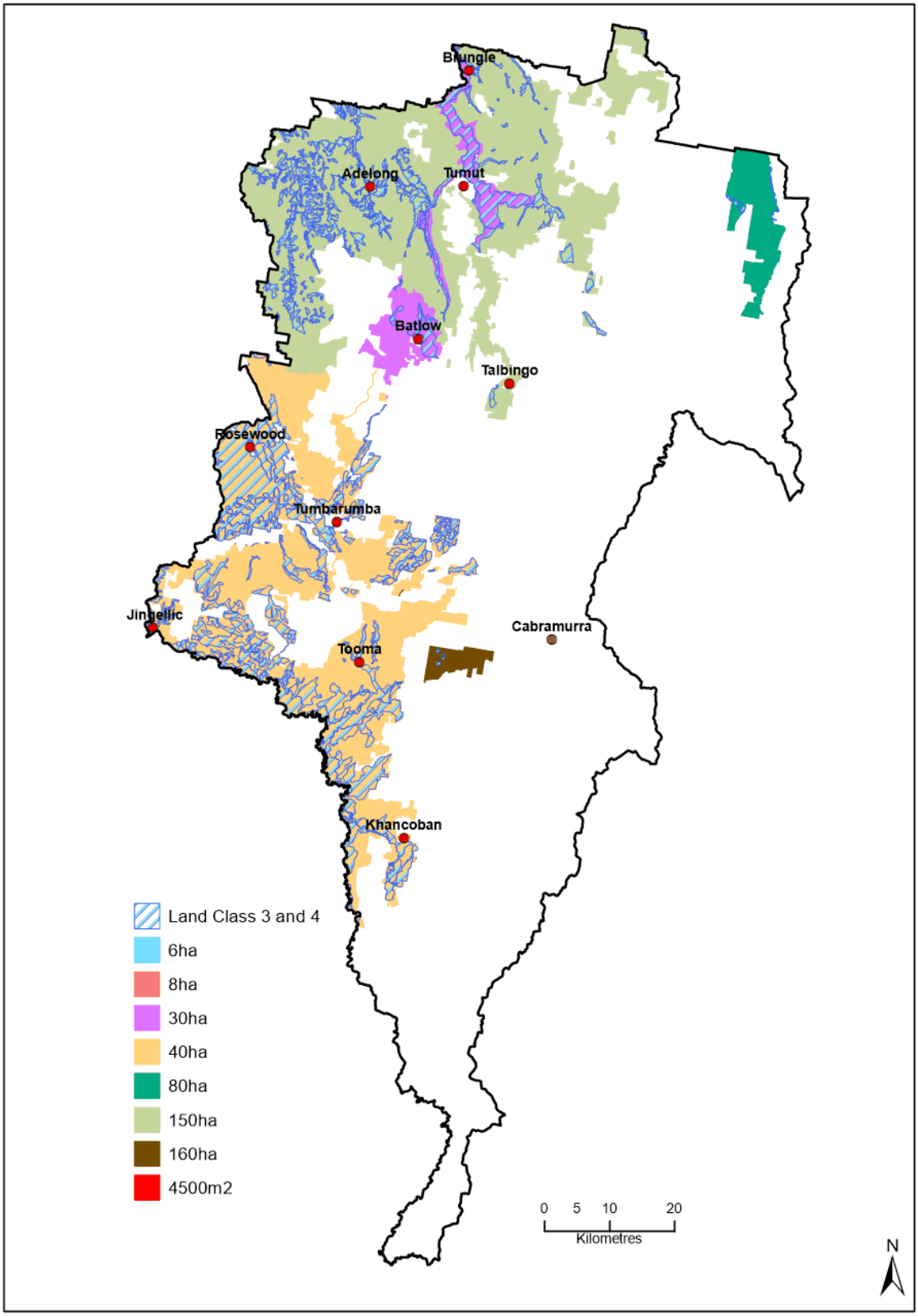

SNOWY VALLEYS COUNCIL
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Date: 12/05/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski

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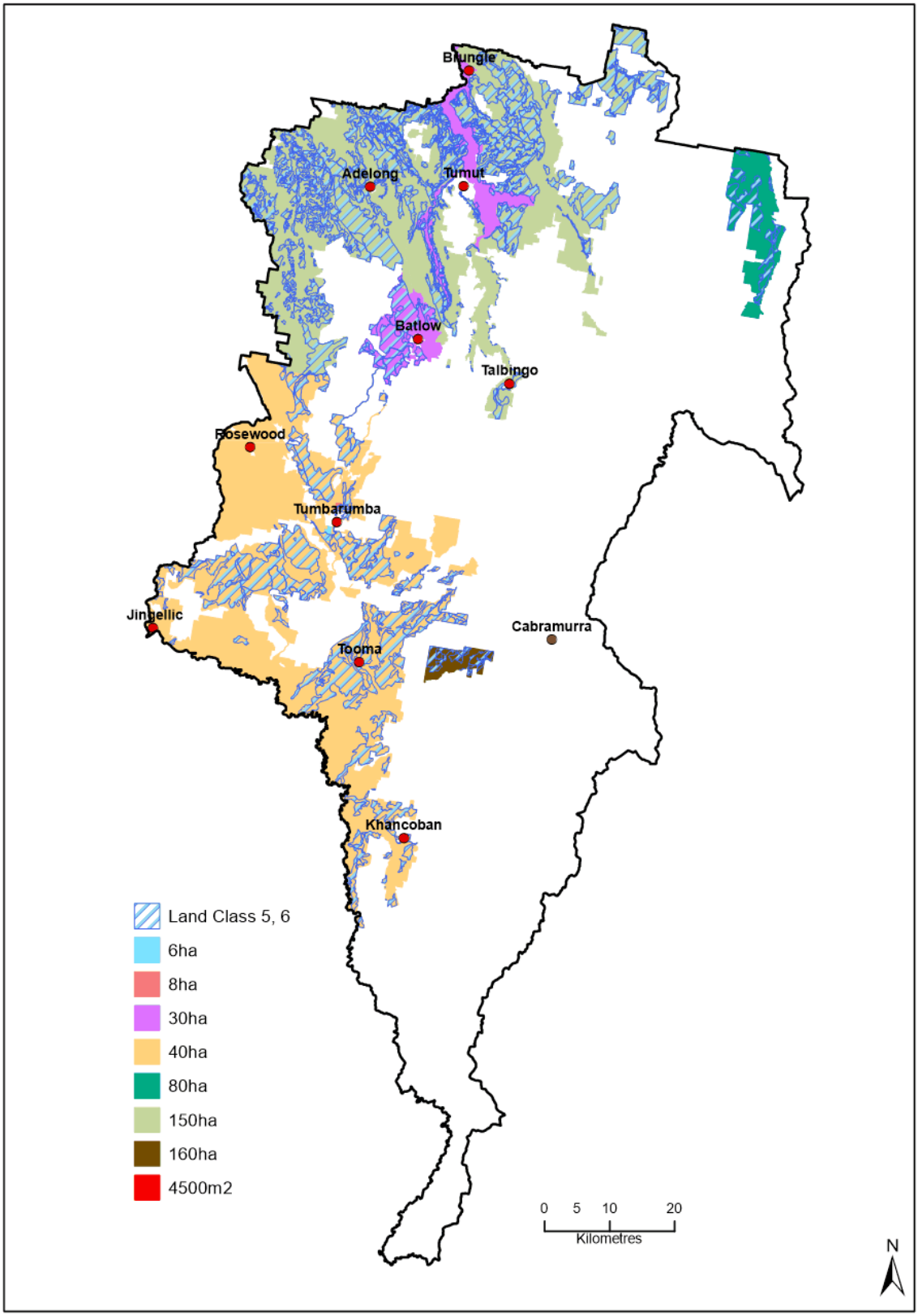

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Created By: GIS Administrator - J Kajewski

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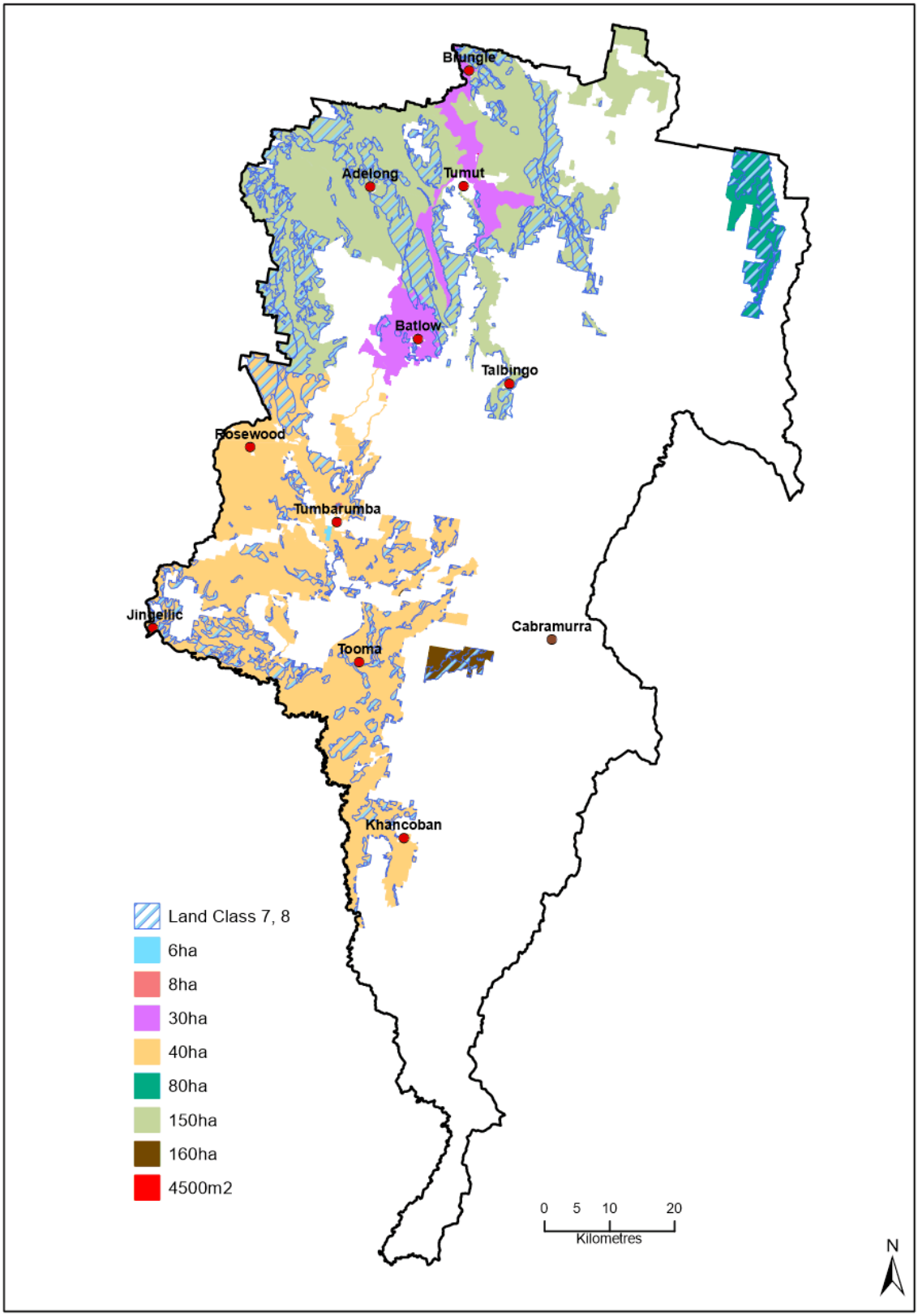
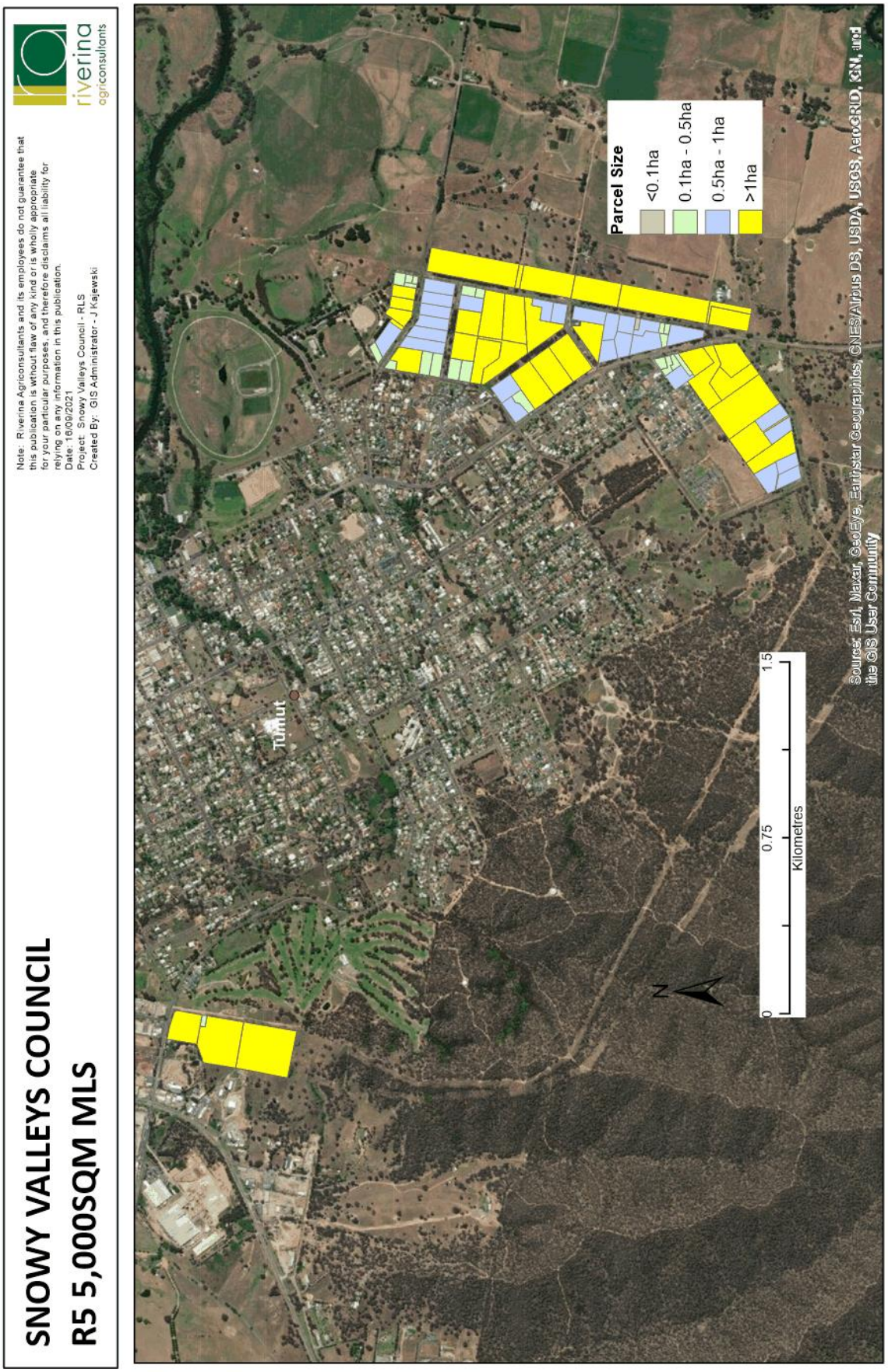


Annexure 9

R5 Tumut Landholdings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R5 5,000SQM MLS
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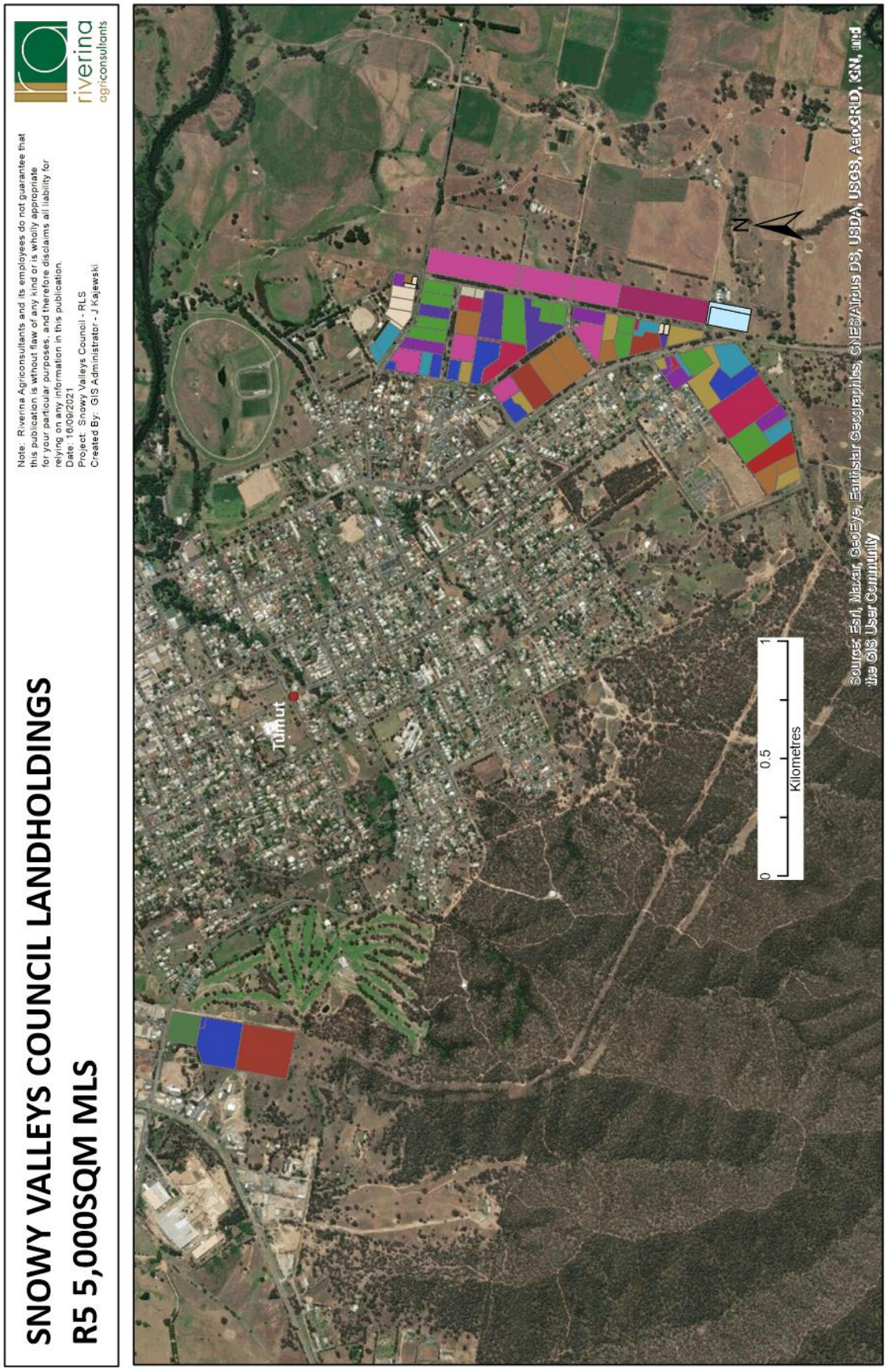
Date: 16/09/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski
Parcel Size
<0.1ha
0.1ha - 0.5ha
0.5ha - 1ha
>1ha
Tumut
0
0.75
1.5
Kilometres
N
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community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R5 5,000SQM MLS
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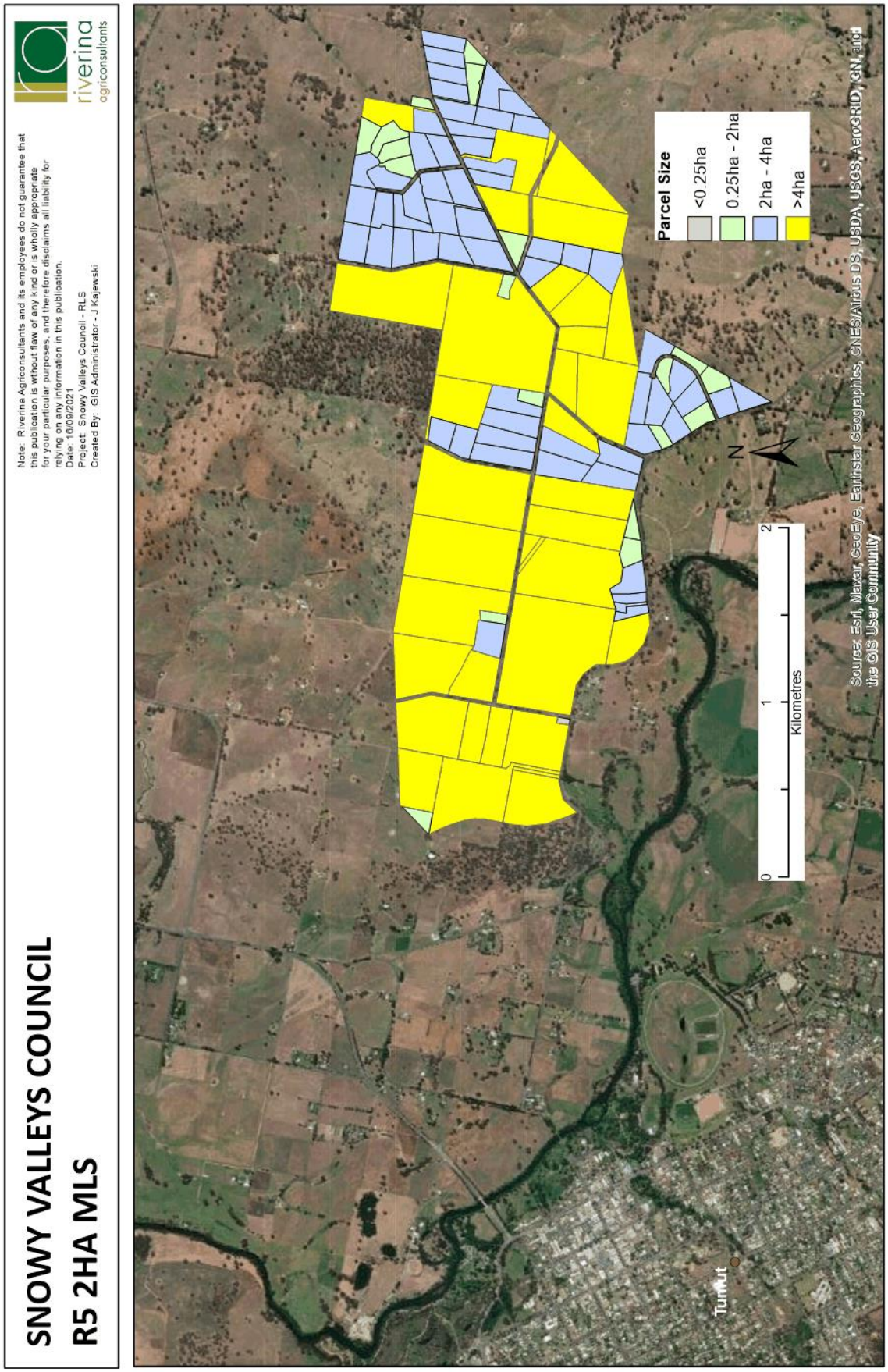
Date: 16/09/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski
Tumut
N
0
0.5
1
Kilometres
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community


SNOWY VALLEYS COUNCIL
R5 2HA MLS
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Date: 16/09/2021
Project: Snowy Valleys Council - RLS
Created By: GIS Administrator - J Kajewski
Parcel Size
<0.25ha
0.25ha - 2ha
2ha - 4ha
>4ha
N
0
1
2
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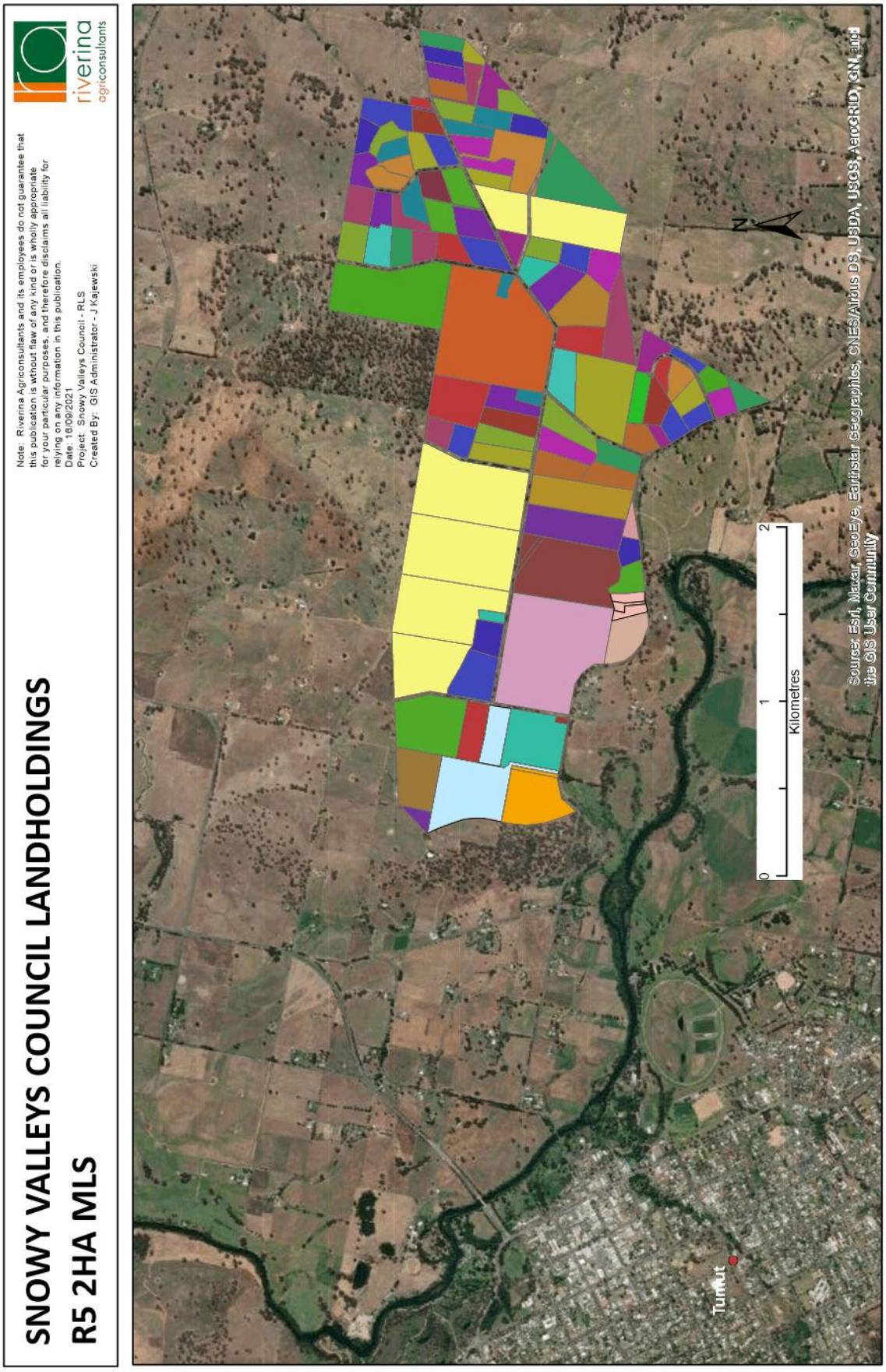
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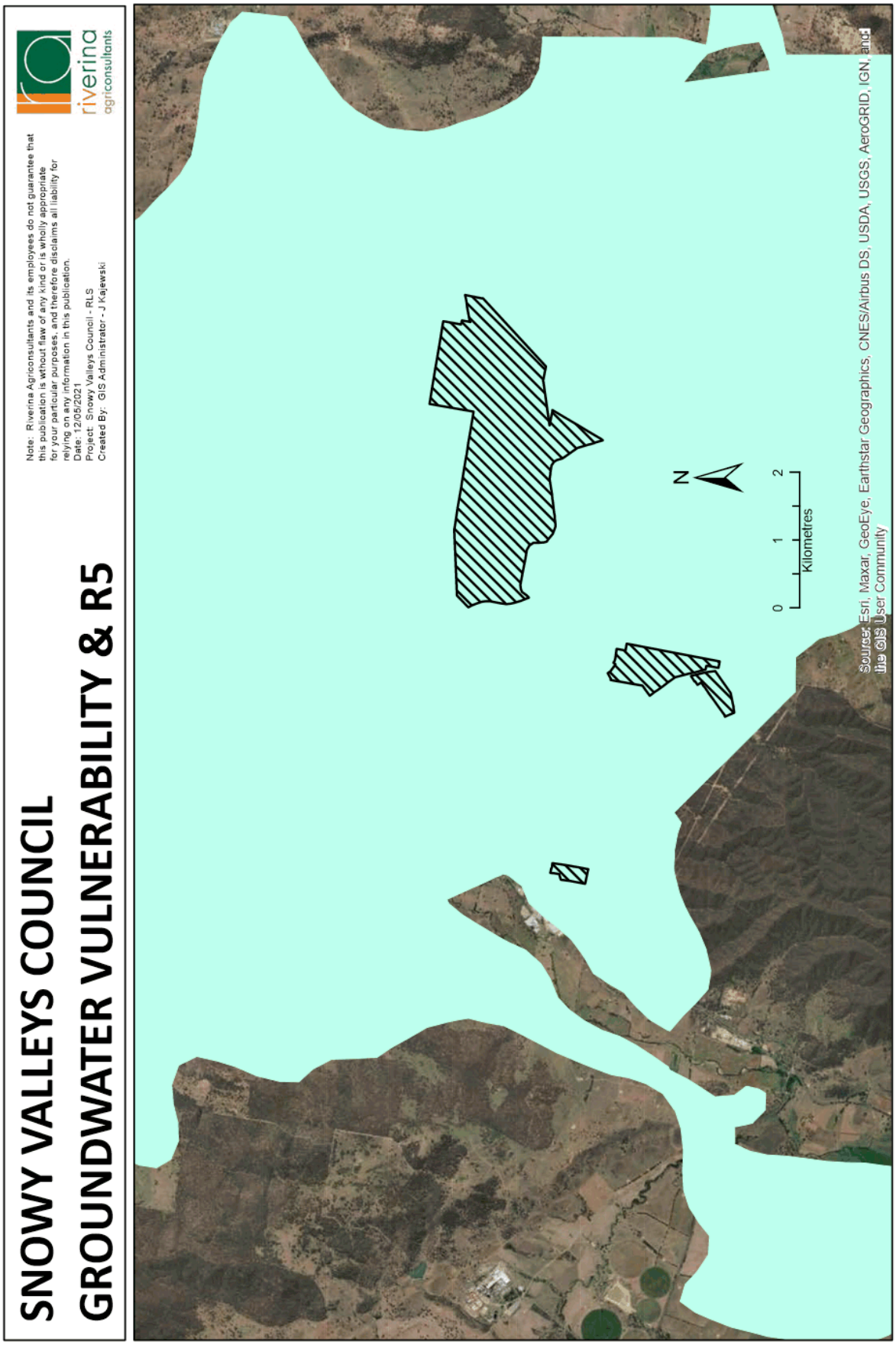
Annexure 10

Tumut Constraints Maps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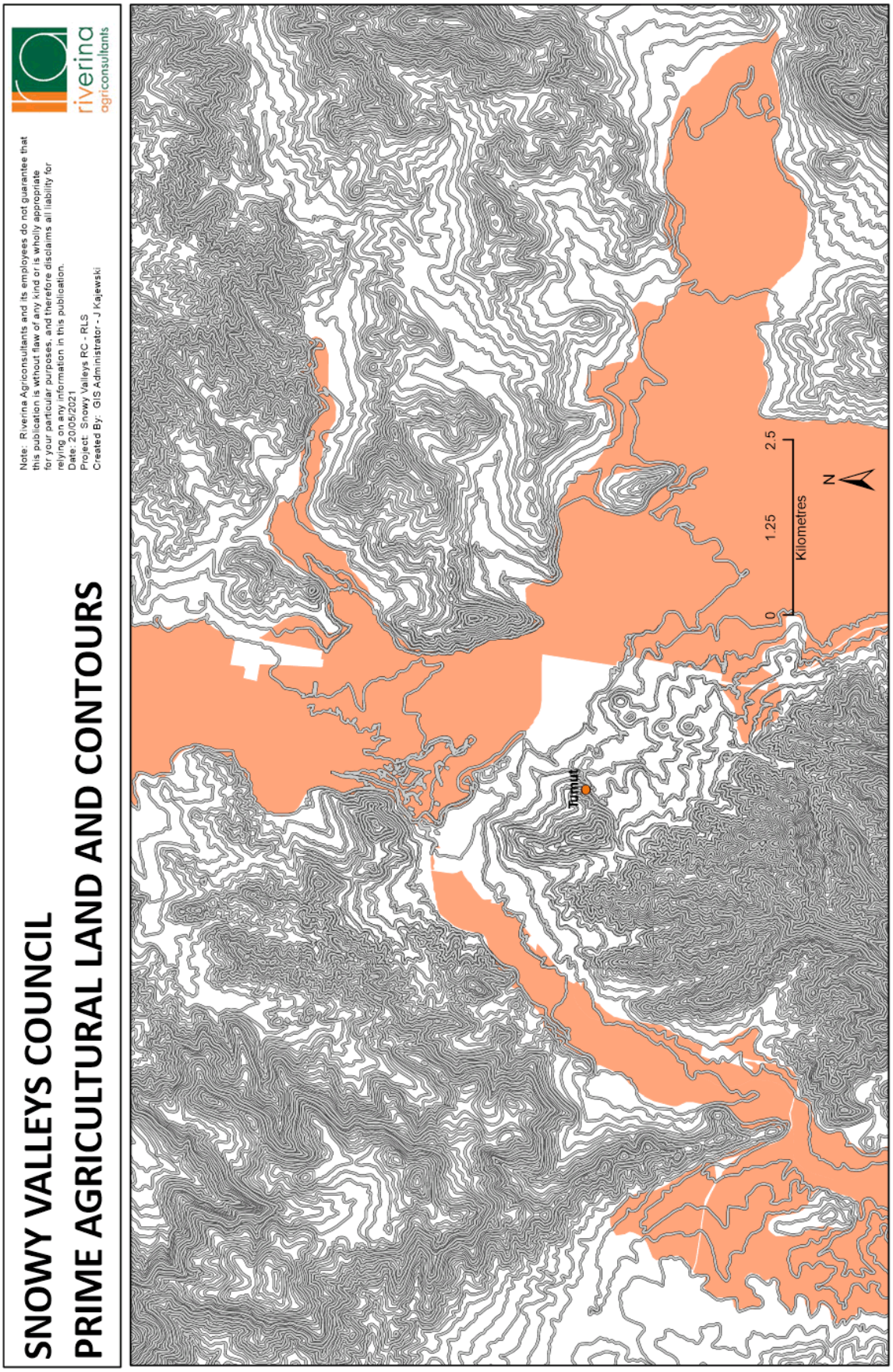
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